



Jail and Justice System Assessment

A National Institute of Corrections Technical Assistance Report
for Lake County, MT Sheriff's Office

Technical Resource Providers:

Mark Martin
Mark Goldman

November 29th - December 1st, 2017

Jail and Justice System Assessment



Jail and Justice System Assessment



DISCLAIMER

This technical assistance activity was funded by the Jails Division of the National Institute of Corrections. The Institute is a Federal agency established to provide assistance to strengthen state and local correctional agencies by creating more effective, humane, just, and safe correctional services. The resource persons who provided the onsite technical assistance did so through a contract, at the request of the Lake County, MT Sheriff's Office, and through the coordination of the National Institute of Corrections. The direct onsite assistance and the subsequent report are intended to assist the agency in addressing issues outlined in the original request and in efforts to enhance the effectiveness of the agency. The contents of this document reflect the views of Mr. Mark Martin and Mr. Mark Goldman. The contents do not necessarily reflect the official views or policies of the National Institute of Corrections.

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Section 1. Background

Request for Technical Assistance

Sheriff Donald R. Bell, Lake County, MT, submitted a request for a Jail and Justice System Assessment (JJSA) from the National Institute of Corrections. Mark Martin and Mark Goldman were contracted by NIC to deliver the on-site technical assistance on November 29 – December 1, 2017. Mr. Martin and Mr. Goldman coordinated arrangements for the visit and technical assistance activities with Undersheriff Ben Woods.

Jail and Justice System Assessment (JJSA)

JJSA Purpose and Goals

Jurisdictions frequently request the JJSA because the jail is “crowded,” and, as such, under some scrutiny. Jail officials are unable to fully control the flow of inmates in and out of the jail. Policy and practice in individual justice system components are the primary drivers of the inmate population. Although the jail possesses a wealth of information about the manner in which the rest of the system operates, jail staff are often unaware that the information they have in the data they routinely collect will reflect the impact of those system policy and practices. In the meantime, the rest of the criminal justice system is sure it is managing their roles the best they can, and often feels taxed to the limit. However, each component is often working in a vacuum—unaware of what the rest of the system is doing, or how decisions made by each component are impacting the overall system.

The purpose of the JJSA is to determine the need for improvements to the existing jail and its operations (including the potential need for new construction and/or renovation) and to determine the need for

National Institute of Corrections

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The National Institute of Corrections (NIC) is a small federal agency within the Department of Justice, Bureau of Prisons. NIC was established in the 1970's to be the primary federal source of assistance to state and local correctional agencies. The Jails Division of NIC helps local jails across the country by providing training, technical assistance, and information services.



improvements to enhance the effectiveness of the overall justice system. This is accomplished through an assessment of the jail against professional standards and accepted management practices and an examination of the major components of the justice system including law enforcement, courts, prosecution, defense counsel, and community sanctioning options.

The JJSA demonstrates to the stakeholders that they have a common purpose and can benefit from working and thinking strategically. The jail benefits by better population management; the other components benefit by sharing information and minimizing redundancy; and all will be working smarter, not just harder.

The JJSA helps to assess how well the system is handling the demands it faces; determine if the existing services and programs are meeting their needs and are consistent with public safety (the community's) concerns; and make sure those programs are having the desired impact on the system, and more specifically, the jail population.

The ultimate goal of the JJSA is to provide the jurisdiction with a solid, unbiased assessment of the condition of the jail and what opportunities could exist in the long-term, and what can be done in the interim period that will assist in making the jail safer and possibly a more efficient operation.

JJSA Activities

The JJSA process includes a brief assessment of the jail, a review of selected jail and system data, interviews with key criminal justice officials, and a community meeting -- all of which occur over a three-day period when the NIC technical resource providers are present in the community. The community meeting provides an opportunity to:

- Educate the participants about the role of justice system policies and practices on the use of the jail and the size of the jail population;
- Provide participants with the technical resource providers' preliminary findings based on the jail assessment and interviews;
- Provide participants with some preliminary options to address detention and other criminal justice system needs; and
- Provide a forum for participants to share their concerns and ideas about the issues raised and initiate discussions about planning for change.

Preparations for the On-Site Visit

Prior to the on-site visit, Mark Martin contacted Sheriff Bell to get further detail on the County's expectations and desired outcomes for the JJSA. Sheriff Bell referred the Technical Resource Providers (TRP) to Undersheriff Ben Woods as the primary contact for the JJSA. Undersheriff Woods advised that the technical assistance request was prompted by an urgent need to address overcrowding in the county jail that has been an ongoing problem for some time. The lack of adequate bed capacity has



resulted in backlogs in the service of warrants, backlogs in offenders awaiting to serve jail sentences, and a general disregard for the efforts of law enforcement due to the lack of available consequences for misbehavior. These problems have been exacerbated by growing illicit drug use and lack of chemical dependency and mental health treatment options in the community. The JJSA was requested as a means to initiate community discussion about these issues.

These discussions resulted in the following scope of work for the Jail and Justice System Assessment:

- Make necessary preparations for the onsite visit;
- Conduct an entrance meeting with Sheriff Bell, Undersheriff Woods, the Jail Administrator Joel Shearer, and other key officials to gather additional background information, review the desired outcomes for the JJSA, and confirm the agenda for the three-day site visit;
- Conduct a brief tour of the Lake County Jail to get an overall perspective of issues and conditions;
- Interview key justice system officials including at a minimum the sheriff, prosecutor, public defender, judges, police, and probation;
- Meet with members of the County Commission;
- Facilitate a town hall meeting to present information about the local jail and the impact of system policies and practices on its use; present preliminary assessment findings, review jail and system data; present information about the facility development process, and discuss community readiness for planning;
- Conduct an exit meeting with Sheriff Bell, the Undersheriff, Jail and Jail Administrator to review the site visit activities and discuss next steps; and
- Prepare a technical assistance report outlining the findings and recommendations developed pursuant to the JJSA.

To prepare for the onsite visit the technical resource providers:

- Outlined the necessary on-site preparations with Undersheriff Woods, providing a draft of an onsite agenda and list of persons to be interviewed;
- Developed and forwarded structured interview questions for justice officials scheduled for interviews;
- Requested selected jail trend and snapshot data;
- Reviewed the pre-JJSA survey completed by the Lake County Sheriff's Office staff;
- Reviewed and conducted preliminary analysis of jail data provided by the Sheriff's Office;
- Prepared an agenda and slides for the community meeting;
- Gathered available statistics on county population, arrests, and other criminal justice data; and
- Finalized and confirmed the overall agenda for the JJSA with the local point of contact.

The following documents were reviewed during the course of this activity:

- JJSA technical resource materials;



- County jail population data;
- County arrest and crime data;
- District and Justice Court filings;
- Probation data;
- Survey responses submitted by justice officials; and
- Various documents providing information about criminal justice activity within Lake County.

The following persons were interviewed during the on-site visit:

- Donald Bell, Lake County Sheriff
- Ben Woods, Undersheriff
- Joel Shearer, Jail Administrator
- Ray Czak, Jail Sergeant
- John Todd, Jail Sergeant
- Dave Stipe, County Commissioner
- Bill Barron, County Commissioner
- Gale Decker, County Commissioner
- Kim Christopher, District Judge
- Jim Manley, District Judge
- Randall Owens, Justice of the Peace
- Justin Bartels, Ronan Justice of the Peace
- Sharon Richardson, St. Ignatius City Judge
- James Lapotka, Chief Criminal Deputy County Attorney
- Eldena Bear Don't Walk, Managing Public Defender
- Bob Long, Public Defender
- Ashley Morigeau, Public Defender
- Barbara Monaco, Juvenile Probation Officer
- Lori Thibodeau, Supervising Probation Officer
- Wade Nash, Polson Police Chief
- Kenneth J. Weaver, Ronan Police Chief
- Jim Wilson, County Maintenance
- Various other Lake County Jail staff
- Two groups of Lake County inmates

Many of the above-named, along with other officials, attended the Town Hall Meeting as well.

Purpose of the Report

The purpose of this report is to document:

- The technical resource providers' impressions regarding the jail facilities and operations;
- The technical resource providers' assessment of local criminal justice system practices and use of alternatives;

Jail and Justice System Assessment



- A summary of the interviews conducted with key criminal justice officials;
- A summary of the Town Hall Meeting held during the JJSA in Lake County; and
- The technical resource providers' recommendations regarding the planning process and the steps that should occur to develop a long-range plan to meet the County's correctional needs.



Section 2. Community Profile

Developing a Community Profile should include a review of county census information and projections, including population by age, income levels, level of education attainment, employment data, and recent increases or decreases in the population. Data affecting population stability (i.e., number of people moving into/out of the County per year, employment rates, family ties to the area) should also be reviewed.

Community resources such as health and social services, schools, employment services, etc. should also be surveyed and documented. These are services and resources that may assist the jail and related inmate programs in addressing needs and reducing recidivism.

Following is a brief presentation of the types of information that is representative of what might be included in a Community Profile.

Overview of Lake County

Lake County is located in northwest Montana. The county seat is Polson. In addition to Polson, there is one other city and one town in the County – Ronan with a population of 2,016 and St. Ignatius with a population of 824. The 2016 estimated population of Polson was 4,777. In addition, there are twenty-one other designated census places. The County contains 1,654 square miles. Lake County is bordered by Sanders to the west, Flathead to the north, and Missoula to the south. Missoula and Flathead also make up the eastern border of the County.¹



Over two-thirds (67.7%) of the county's land lies within the Flathead Indian Reservation. The Reservation includes approximately 1.3 million acres and encompasses parts of Lake, Sanders, Missoula, and Flathead Counties. There are 7,753 enrolled members in the Confederated Tribes with about 5,000 (about 65%) living on or near the Reservation.² The Tribal Administrative complex and the jail are located in Pablo, Montana.

Lake County is governed by a three-member Board of Commissioners. The Board's duties include budgeting, administering personnel policies, and supervision of the Roads Department. The Sheriff is among a number of locally elected officials.

¹ Wikipedia. Retrieved November 23, 2017, https://en.wikipedia.org/wiki/Lake_County,_Montana

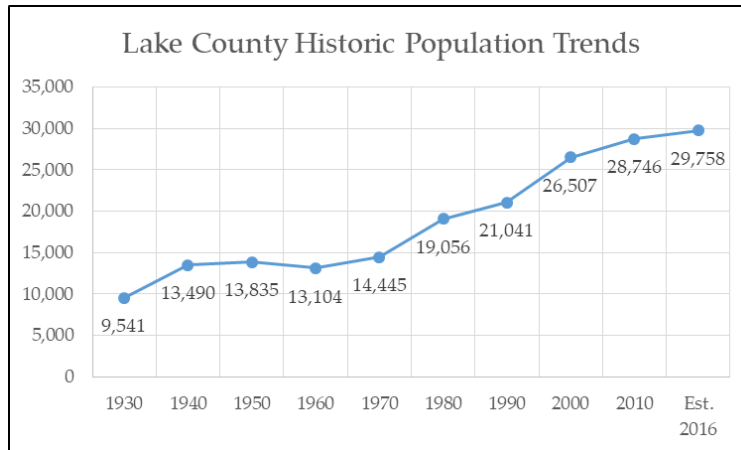
² Montana government website. <http://tribalnations.mt.gov/cskt> Accessed December 1, 2017



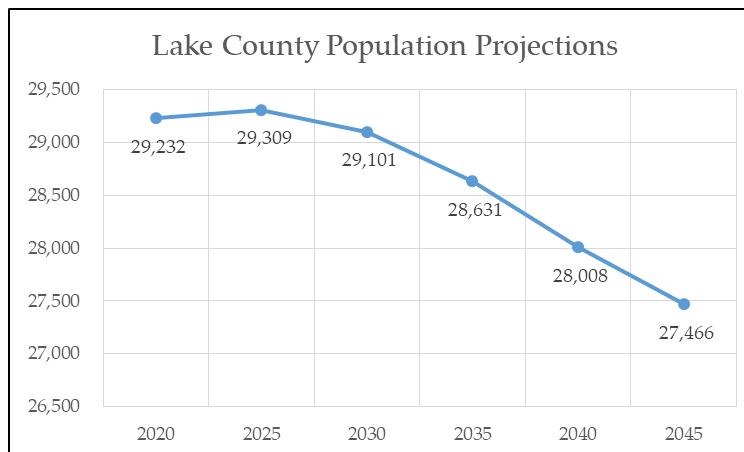
Population Profile

Historical Population Trends and Projections

The chart below shows the historic population trends for Lake County since 1930. The population has increased generally from the 1960 Census count to the current estimate. The estimated county population for 2016 was 29,758.³



The chart below shows population projections for the County according to the Census & Economic Information Center in the Montana Department of Commerce.⁴ The projections, along with the historic trends, suggest the county population has peaked and will start to decline in the near future.



Components of Change

From 2010 to 2016, Lake County's population was estimated to have increased by approximately 1,012⁵ residents, due to both a natural increase (An estimated 509 more births than deaths) and net migration

³ Wikipedia. Retrieved November 23, 2017, https://en.wikipedia.org/wiki/Lake_County,_Montana

⁴ Census & Economic Information Center, MT Dept. of Commerce (www.ceic.mt.gov)

Retrieved November 23, 2017



(with 487 more persons moving into the County than. moving out). It is useful to understand the components of population change because it offers insight into the causes of growth or decline and it helps highlight important areas of inquiry. For example, are people drawn by the geographic location, services available in the community, work opportunities, etc.?

Demographics⁶

The following tables provide a breakdown of the Lake County population by race and age groupings for the year 2015.

2015 Population Estimates by Age (N=29,157)			2015 Population Estimates by Race (N= 29,157)		
Category	Population	Percent	Category	Population	Percent
Under 5 years	1,941	6.7%	White	19,995	68.6%
5 to 19 years	5,854	20.1%	Am. Indian/Alaska Native	7,042	24.2%
20 to 34 years	4,694	16.1%	Asian	111	0.4%
35 to 44 years	2,986	10.2%	Black	72	0.2%
45 to 54 years	3,682	12.6%	Pacific Islander	8	0.0%
55 to 64 years	4,475	15.3%	Other - single race	89	0.3%
65+ years	5,525	18.9%	Two or more races	1,840	6.3%
	29,157	100%		29,157	100%

The majority of the county population is White (68.6%), followed by American Indian (24.2%) according to U.S. Census Bureau's 2015 population estimates. Individuals of Hispanic or Latino ethnicity represent 4.0% of the county population. Lake County's female population, at 49.2%, is slightly lower than for the State at 49.7% and 50.8% for the U.S. The median age of the county population is older than the state at 41.6% vs. 39.7 years. The demographics of the community are important to understand in order to identify the numbers and trends of at-risk age groups.

Socioeconomic Profile

A number of indicators determine the economic health of a jurisdiction. No single indicator should be considered by itself. Rather, a range of indicators should be analyzed together to get a comprehensive view of the economy. Several indicators for Lake County, which are representative of the types of data essential to review when developing a Community Profile, are presented below.

Income and Poverty⁷

Lake County lags the state in both family and per capita income, and also has a substantially higher poverty rate. The following table provides a breakdown of key county income and poverty data with

⁵ The total population change includes a residual that cannot be attributed to any specific demographic component.

⁶ United States Census Bureau: American FactFinder. Retrieved December 1, 2017, <http://factfinder.census.gov>

⁷ United States Census Bureau: American Fact Finder. Retrieved December 1, 2017, <http://factfinder.census.gov>



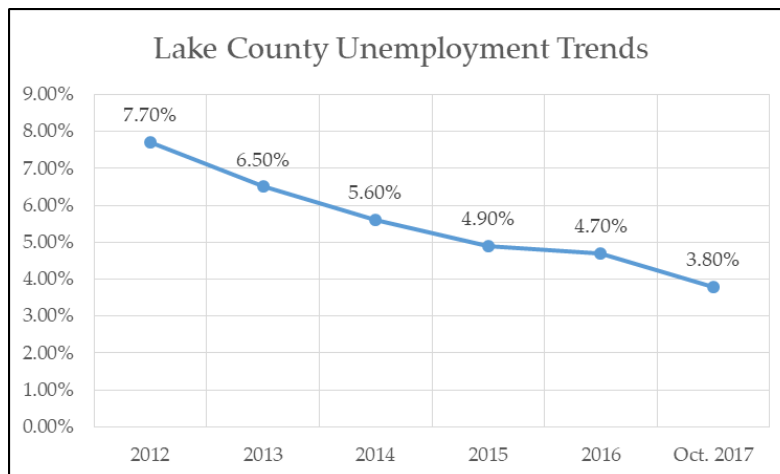
comparisons to the state data. The per capita income in Lake County in 2015 was 87% of statewide levels, and the median family income was 83.3% of the state level. The county poverty rate was about 60% higher than the state rate.

Income and Poverty (2015)		
Category	Lake County	Montana
Per Capita Income	\$22,278	\$26,381
Median Family Income	\$51,045	\$61,271
Mean Family Income	\$63,196	\$76,701
Percent Below Poverty Level	15.8%	9.9%

Income data can be an indicator of how well a county is faring in the current economic climate and how stressed individuals and families may be due to their economic condition. It would be helpful to understand the correlation between crime and the economy as it impacts both bed space needs for the jail and the ability of a county to pay the costs of incarceration and other public safety services.

Employment

The employment rate is another indicator of the economic condition of a county. The unemployment rate is the number of unemployed as a percent of the entire labor force. The October 2017 unemployment rate (not seasonally adjusted) for Lake County (3.8%) compares favorably with the state rate (3.9). The County's unemployment rate is presently at its lowest point in the last five years (see chart on the following page). It is helpful to look at the rates over time to see if they are increasing or decreasing. Further investigation might provide insight into what may be driving the rates in either direction and how best to promote economic growth in the County.





Education⁸

Education is yet another factor that contributes to the overall community profile. Lake County graduates a higher percentage of residents from high school than the rest of Montana as a whole. County residents also outpace the state average in attaining post-secondary education at the Associates and Bachelors levels but lag behind in advanced degrees. Lower educational attainment, along with economic stressors, are community risk factors that can impact public safety demands.

Educational Achievement for Residents, Age 25 & Over (2015)		
Category	Lake County*	Montana**
Less than 9th grade	2.7%	2.1%
9th to 12th grade, no diploma	6.5%	5.1%
High school graduate (incl. equiv.)	31.4%	30.1%
Some college, no degree	26.0%	24.8%
Associate's degree	9.0%	8.4%
Bachelor's degree	15.6%	20.0%
Graduate or professional degree	8.8%	9.5%

*Lake County N = 19,702

**Montana N = 690,448

Community Resources

All communities have programs and services that serve at-risk and justice-involved individuals. Some may be used extensively by the justice system, while others exist as hidden resources waiting to be discovered. A community profile should include an inventory of community assets and resources that could serve justice-involved persons both in the jail and in community alternatives.

Several of the human services organizations in Lake County are briefly described below⁹:

Lake County Medical Services

There are two critical access hospitals in Lake County – St. Luke Community Hospital in Ronan and Providence St. Joseph Medical Center in Polson. St. Luke Community Healthcare also has family medicine clinics in Polson, Ronan and St. Ignatius as well as a convenient care clinic located in the hospital.

Tribal Health Services – Services are provided to tribal member in health centers located in Hot Springs, Elmo, Polson, Salish Kootenai College, Ronan, St. Ignatius and Arlee. Services include wellness and

⁸ United States Census Bureau: American Fact Finder. Retrieved from November 23, 2017, <http://factfinder.census.gov>

⁹ These are provided as representative examples. A thorough needs assessment should include a full inventory of resources available in the community. A Lake County Resource Guide which provides a broader listing of community service providers is available at <https://courts.mt.gov/portals/113/selfhelp/resources/Lake.pdf>



preventive care, chronic disease management, basic out-patient treatment, and visiting specialty clinics.

Mental Health and Addiction Services

The *Western Montana Mental Health Center*, a private, non-profit, community-based organization, maintains an office in Ronan and operates a crisis residential center in Polson (Lake House). Services include case management, crisis assessment and stabilization facilities, outpatient counseling, psychiatric medicine management, and chemical dependency outpatient treatment. Local residents also have access to other services provided by or through the mental health center, including residential services, which are regionalized.

Sunburst Mental Health, a private, non-profit organization provides case management services, counseling, and medication management. Western Montana Addiction Services, a state run program with a sliding fee scale, also accepts Medicaid.

Tribal Behavioral Health Addiction Treatment – According to their website¹⁰, this tribal program provides “a range of support in meeting addiction treatment needs.” Areas of focus include addiction treatment for substances and gambling, including therapy for adolescents and adults. Options offered for recipients seeking recovery include chemical dependency assessment; outpatient counseling and brief treatment for addictions; addiction treatment groups; medically assisted chemical dependency treatment; and crisis intervention services.

The *Tribal Behavioral Health Program* provides the following mental health services according to the Tribe’s website: mental health evaluations; psychological assessments; adult psychotherapy; child and adolescent psychotherapy; family therapy; couples counseling; crisis intervention services; a chronic pain group; an anger management group; and school-based counseling in the Ronan and Arlee school districts.

The *Tribal Reentry Program* provides limited services to clients who are typically high need and just returning from prison or from a recent incarceration elsewhere. Evaluations and referrals for ongoing services are provided to get offenders on medications and stabilized. Some counseling may also be provided.

¹⁰ <http://www.cskthealth.org/index.php/services/behavioral-health>. Accessed Dec. 4, 2017



Section 3. Criminal Justice System Profile

In developing a criminal justice system profile, information describing current criminal justice agency staffing, resources, and workload is gathered and reviewed. Historical law enforcement data, including information on reported crime, crime rates, offense types, and law enforcement policies and practices is collected and analyzed.

Historical court data including information on court structure and schedules, misdemeanor and felony filings, etc. is also collected and analyzed.

Key criminal justice policymakers including judges, probation, prosecuting attorney, public defender, the sheriff, jail administrator, and other local law enforcement agency representatives, are typically interviewed to obtain their input and perspective on the needs of the criminal justice system and the jail.

The results of this review are used to develop the Criminal Justice System Profile.

Overview of Lake County Criminal Justice Agencies

Crime Rate, Incident, and Arrest Statistics

Crime rate, incident, and arrest statistics are contained in Montana's Board of Crime Control *Crime in Montana* reports and on the Board's website at www.mcabc.mt.gov. Montana's law enforcement agencies report crime data to the Board of Crime Control through the Montana Incident Based Reporting System. Reported crimes are categorized as either Index offenses or non-Index offenses. Index crimes include the more "serious" felonies - murder, rape, aggravated assault, robbery, burglary, larceny-theft and motor vehicle theft -- plus the crime of arson. These offenses comprise the standard or "Index" by which the "crime rate" is measured across all 50 states.

Criminal Justice System Profile



A justice system needs assessment should include a review of the overall functions and resources of the existing county criminal justice system with the intent of answering the following questions:

- How well is the current system working?
- Are existing services and programs used to their fullest extent and effectiveness?
- Are there apparent gaps in services and programs?
- Are cases processed through the system in a timely and efficient manner?
- How can the criminal justice system do a better job?

The results of this review are used to develop the Criminal Justice System Profile.

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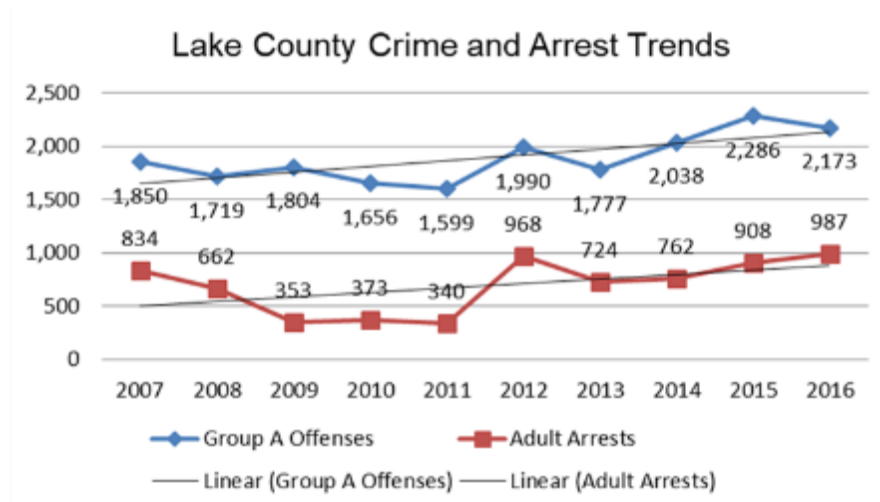
The list of reportable offenses in the Incident Based Reporting System has greatly expanded beyond the seven index crimes. This expanded list can be grouped into two different categories: Group A offenses and Group B offenses.

Group A offenses include the following: arson, assault, bribery, burglary, counterfeiting/forgery, criminal mischief/vandalism, drug offenses, embezzlement, extortion/blackmail, fraud, gambling, homicide, kidnapping, larceny/theft, motor vehicle theft, obscenity/pornography, robbery, forcible sex offense, non-forcible sex offenses, stolen property offenses, and weapon law violations.

Group B offenses include the following: bad checks, curfew/loitering/vagrancy, disorderly conduct, driving under the influence, non-violent family offenses, liquor law violations, peeping tom, and trespassing.

The table below shows the number of reported Group A offenses and the number of adult arrests each year for the past ten years. Annual crime and arrest rates based on the county population are also presented for the last ten years. The crime rate for Group A offenses declined between 2007 and 2011 and then increased from 55.1 per 1,000 residents in 2011 to 73.4 offenses per 1,000 residents in 2016. Adult arrests followed the same general trends.

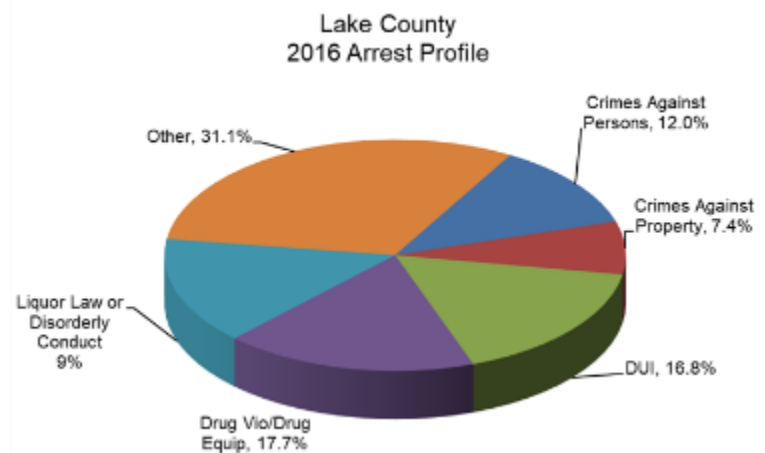
Lake County Crime and Arrest Trends										
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
County Pop	29,120	28,733	28,916	28,999	29,001	29,148	29,203	29,133	29,200	29,614
Group A Offenses	1,850	1,719	1,804	1,656	1,599	1,990	1,777	2,038	2,286	2,173
Crime Rate*	63.5	59.8	62.4	57.1	55.1	68.3	60.8	70.0	78.3	73.4
Adult Arrests	834	662	353	373	340	968	724	762	908	987
Arrest Rate*	28.6	23.0	12.2	12.9	11.7	33.2	24.8	26.2	31.1	33.3
*per 1,000 residents										



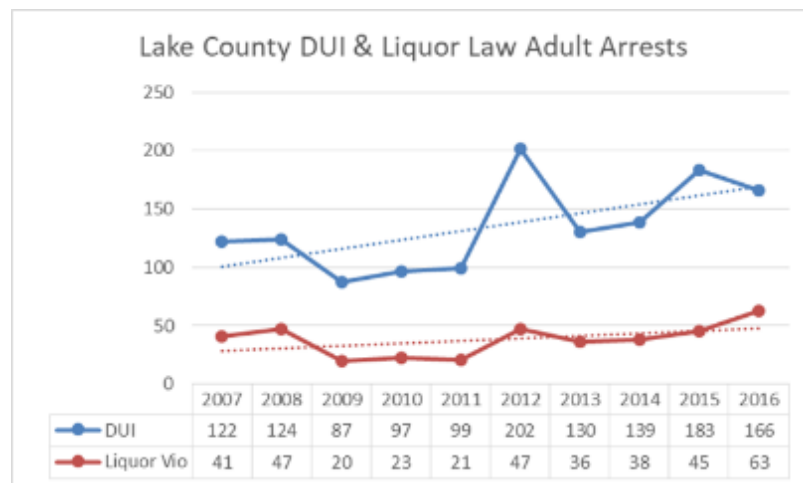
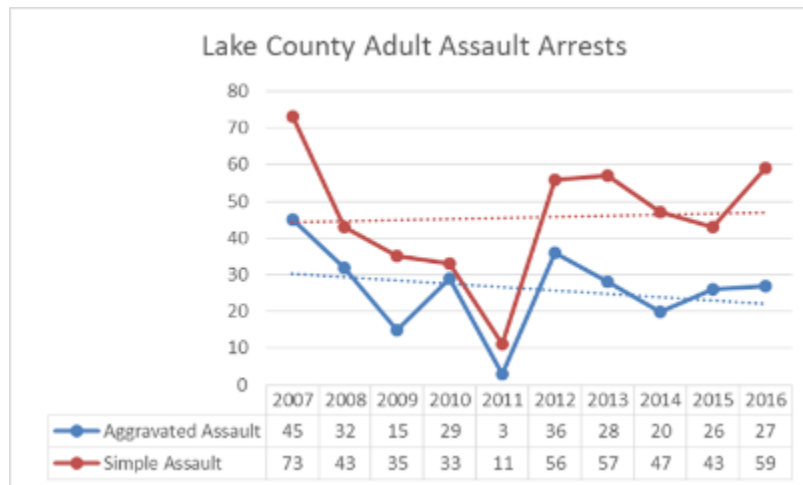
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The chart to the right provides a breakdown of 2916 adult arrests by category. Over 43% were drug or alcohol related.

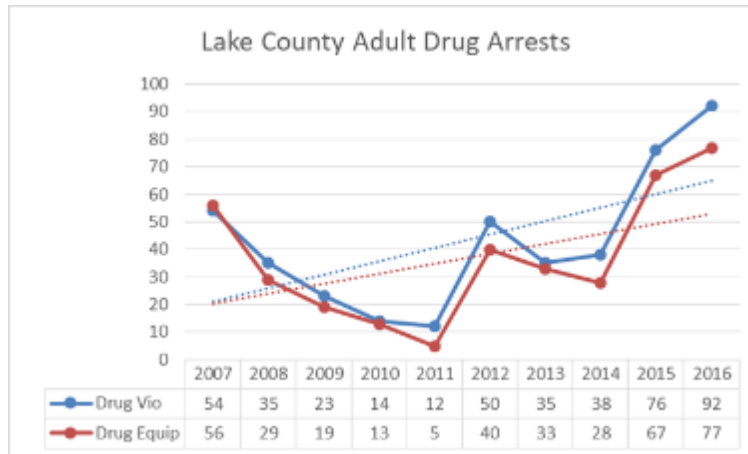


The following tables provide a breakdown of adult arrests for person-related and drug/alcohol-related offenses. These are the types of offenses which most likely result in incarceration.



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Overall, crimes involving drug and/or alcohol show the most increase. Further analysis of these trends is helpful in understanding the types of crimes being committed which, in turn may help shape the criminal justice system response in terms of jail use and use of alternatives.

Law Enforcement

The primary local law enforcement agency in Lake County is the Lake County Sheriff's Office. Other law enforcement agencies include the Ronan PD, St. Ignatius PD, Flathead Reservation Tribal Police, and Montana Highway Patrol.

The Lake County Sheriff's Office staffing includes seventy-three employees consisting of 24 sworn and more than 30 civilian non-sworn personnel filling the positions of detention and support staff.

Courts

The role of the courts in managing Lake County's criminal justice system cannot be overstated. Case processing, judicial decisions, and an understanding of the role of the jail can influence the number of inmates housed in the county jail.

City/Justice Court. The Justice Court and City Court are established as Courts of Limited Jurisdiction in Montana. These courts address cases involving misdemeanor offenses, civil cases for amounts up to \$7,000, small claims valued up to \$3,000, landlord/tenant disputes, local ordinances, forcible entry and detainer, protection orders, certain issues involving juveniles, and other matters. Cases involving offenses committed within the city limits are typically heard in City Court while cases involving offenses committed elsewhere in the county go to Justice Court.

Randall Owens serves as Justice of the Peace for the Justice Court in Lake County. In addition there are city courts in Polson, Ronan, and St. Ignatius.

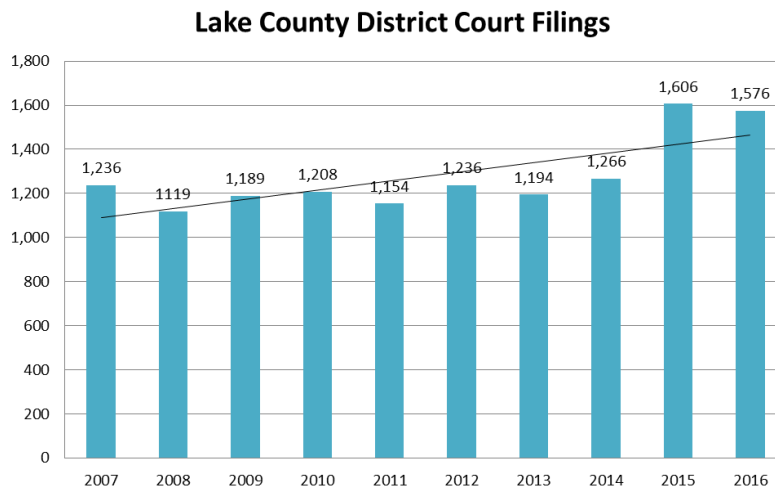


District Court. District Courts process all felony cases, all probate cases, most civil cases, and various other actions and proceedings. The District Courts also have limited appellate jurisdiction over cases arising in the Courts of Limited Jurisdiction in their respective districts.

The Lake County District Court is part of the 20th Judicial District which includes Lake and Sanders Counties. Hon. Jim Manley and Hon. Kim Christopher serve as District Court Judges. The Clerk of the District Court in Lake County is Lynn Fricker. The clerk of the district court is an elected official serving Lake County. The District Court Clerk assists the District Court by taking minutes of each court proceeding, maintaining court files on all cases filed within or transferred to Lake County, and performing related administrative duties.

Typically, on Mondays the District Court schedules trials. Law and Motion days are scheduled for Thursdays. Pre-trial conferences are generally resolved by the parties but if not they are set on Law and Motion with arraignments, omnibus hearings, sentencing, and probation hearings.

A chart showing the case filings in Lake County District Court from 2007 - 2016 is presented in the table below. Case filings have increased at a rate of 3.18% per year over the past ten years.



Prosecutor

In Montana, each county elects an attorney, who represents the county in criminal matters. The county attorney, with his or her assistants, prosecutes felonies, including the drawing of indictments found by grand juries, and, to the extent prescribed by law, misdemeanors, and violations of municipal ordinances, charter provisions and rules or regulations. The county attorney also serves as the legal advisor to the county commission.



The Lake County Attorney's Office is staffed by the elected County Attorney, one civil deputy attorney, one chief criminal deputy and three other criminal deputy attorneys. In addition, there are four support staff consisting of one office manager and three legal secretaries.

There are currently no diversion programs administered through the prosecutor's office.

Public Defender¹¹

The Office of the State Public Defender (OPD) provides public defender services across the state of Montana. The OPD has 11 regions throughout the state and has trial, conflict and appellate divisions. The OPD maintains offices in approximately 15 cities around Montana. Lake County is served by Region I by a satellite office located in Polson. The office covers the 20th judicial district, Lake County Justice Court, as well as the city courts of Ronan, Saint Ignatius and Polson. The office has 5 staff attorneys, 2 legal secretaries and an investigator. Eldena Bear Don't Walk serves as the managing attorney.

Parole and Probation

Probation and Parole is a Division of the Montana Department of Corrections. The Division provides supervision for offenders in the corrections system through probation, parole and conditional release services and oversight of community-based programs in prerelease centers and treatment facilities.

The Lake County probation office has eight positions: five Probation/Parole Officers, one PSI writer, one Administrative Support position, and a Supervisor. One officer supervises a specialized caseload of approximately 40 offenders who have been placed in programming due to violations or as ordered by the DOC or Board of Pardons and Parole. One officer also participates in the Drug Court through the Lake County District Court in addition to her caseload.

Probation and Parole does not have a pre-trial services program. Virtually all felony offenders receive a pre-sentence investigation (PSI). The office has a 30-day time limit to complete PSI's per a recent change in law. Additional time is granted for Sex Offender evaluations, Mental Health evaluations or at the request of the victim. Probation and Parole in Lake County does not operate any community alternative programs out of house nor does the agency have any contracts with other providers in the community for contracted services. The office does have a (modified) Day Reporting Program and a Treatment Accountability Program offered in house to offenders who have violated their conditions or who have been ordered at discharge through Parole Board or DOC. Probation and Parole utilizes a statewide contract for GPS. GPS is utilized for designated offenses and as a sanction for violations of probation. It is on a sliding fee scale where the vendor bills the offender and DOC pays the remainder.

¹¹ <http://publicdefender.mt.gov/> Accessed December 8, 2017



The DOC has a contract with two Chemical Dependency Counselors. One counselor provides counseling in the TAP program and provides chemical dependency evaluations for probationers needing inpatient treatment who are in the TAP Group. The other contracted provider completes chemical dependency evaluations for offenders in jail.

The table below shows probation and parole workload data for the past ten years.

Probation Workload Data							
	New Felonies to Probation	Revocations to MSP/MWP	Revocations to DOC	Conditional Release Returns	Conditional Release Revoked	Parolees	Presentence Investigations
2007	60			25	12	12	
2008	50			37	9	167	
2009	58	1	42	50	16	19	
2010	63	4	46	39	24	24	109
2011	35	7	57	36	17	15	87
2012	58	7	52	24	22	7	100
2013	49	8	56	21	13	18	109
2014	63	4	42	17	11	6	119
2015	54	7	49	9	4	18	134
2016	96	7	33	22	3	19	222

Caseloads in Lake County are reportedly high risk and high in numbers compared to most of the state. Probation officers report that they spend a lot of time managing offenders who need placement in the county jail after sentencing, but for whom there are too few beds. Caseloads for officers in Lake County are shown below:

- TAP/DRP Program: 40 (One Officer)
- Traditional Supervision: 105 (Three Officers)
- Drug Court: 80 (One Officer)
- PSI Writer: Up to 8 PSI's monthly

Case Flow Mapping

Although it is beyond the scope of the JJSA, a criminal justice profile should include an assessment of the process by which cases move through the justice system. Case flow maps describe each of the steps and key decision points in the justice process, and include such information as the policies and practices of agencies/officials involved at each stage, workload, policy and program options that may be available at each stage, average timelines, and any gaps or inefficiencies in the process.

Recommendations resulting from this case flow review may include changes in policies and practices, improvements in communication and coordination, and implementation of alternative programs and/or services. The goal is to identify opportunities for maximizing the efficiency and overall effectiveness of the justice system.

Jail and Justice System Assessment

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Flowchart of Criminal Justice Decision Points and Options¹²



¹² "A Second Look at Alleviating Jail Crowding: A Systems Perspective", Bureau of Justice Assistance Monograph, Oct., 2000

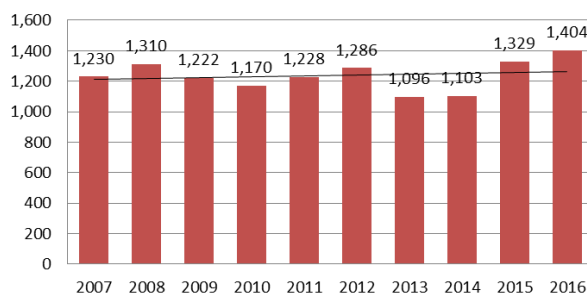
Section 4. Jail Population Profile

Inmate Profile

The technical resource providers requested select jail data prior to the onsite visit. This section of the report provides a summary of the technical resource providers' preliminary review of the data provided. The summary is based upon historical data along with a one-day jail population snapshot provided by the Lake County Sheriff's Office. The snapshot consists of all 51 inmates held on a recent day in the Lake County Jail.

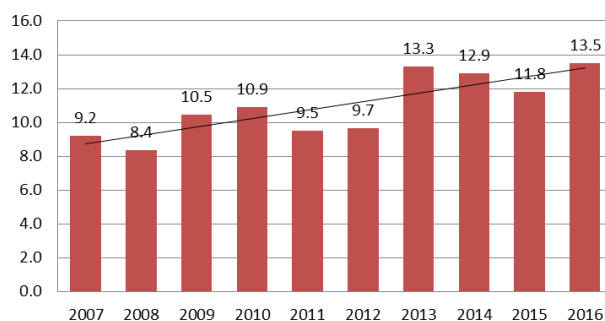
Below are several charts highlighting some of the key characteristics of the inmate population drawn from the data provided by the Sheriff's Office. The charts are representative of the types of profile information which should be collected and analyzed, but are based on a **very limited amount of data**.

Admissions (2007 - 2016)



The figure above shows the total annual admissions over the past ten years. Admissions increased at an annual rate of 1.91%.

Average Length of Stay (2007 - 2016)



Jail Population Profile

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Data on the current jail population is collected and analyzed to develop a profile of its criminal, adjudication, behavioral, social, and demographic characteristics.

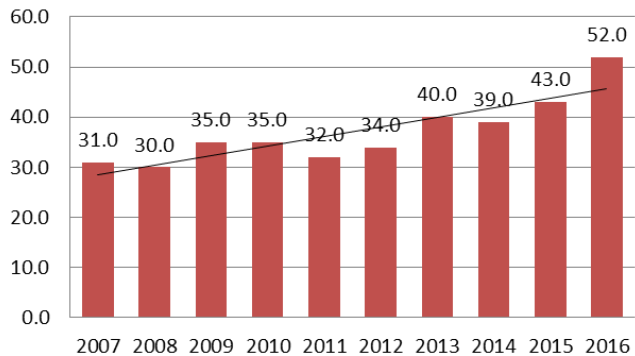
The profile is useful in several ways:

- Developing forecasts of space needs and specifications for detention and alternative programs;
- Identifying classifications of offenders based upon risk and offenses;
- Determining specific programs and services required to address offender needs; and
- Developing strategies for managing offenders through a continuum of community sanctions and programs.



The average length of stay from 2007 through 2016 increased at an annual rate of 5.54% from 9.2 to 13.5 days. The average daily population over the time period increased at an annual rate of 6.38% from 31 to 52. The increase in the average daily population appears to be driven primarily by the increase in length of stay. According to many in the Lake County Justice System, the ADP would have been considerably higher in recent years if the jail had enough capacity to accept more inmates, so this data may be somewhat misleading.

Average Daily Population (2007-2016)



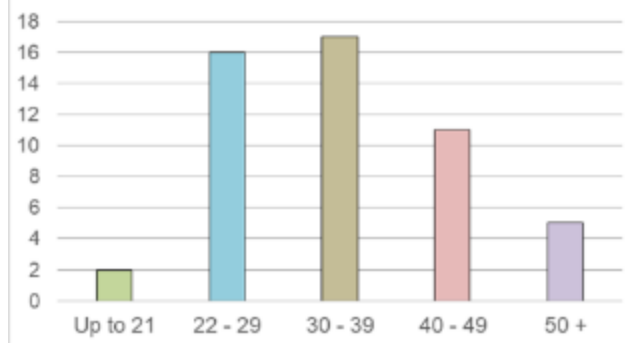
The female population in the snapshot sample accounted for 25% of the total inmate population in the one-day snapshot. The percentage of females in Lake County custody is substantially higher than the 14% national average for females.

Gender of Lake County Inmates



The majority of the inmates in the snapshot are between the ages of 22-39, comprising 64% of all inmates held on that date. The youngest inmate in the snapshot was 20 while the oldest was 63.

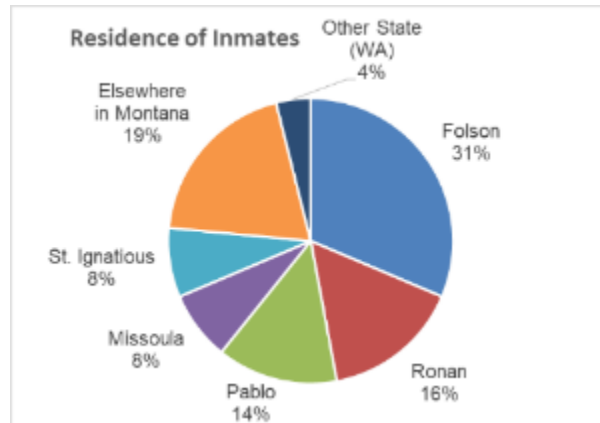
Number of Inmates by Age



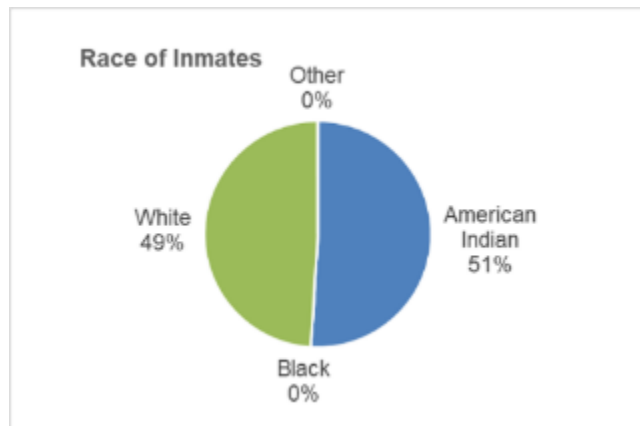
Over 75% of the inmates were reported to be residents of Lake County. Only 4% were out-of-state residents.

Jail and Justice System Assessment

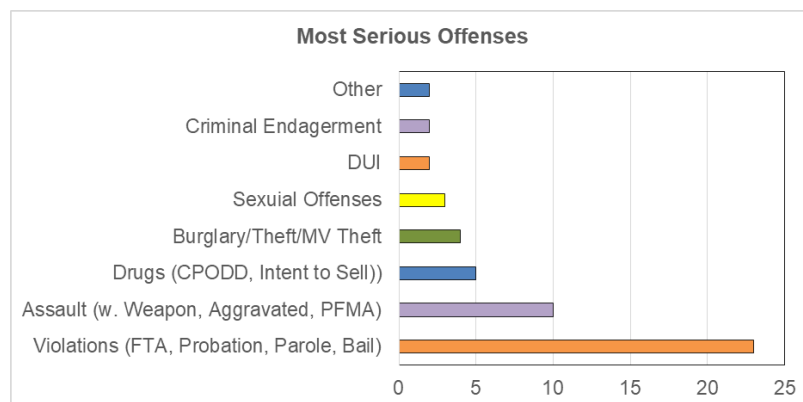
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49% of inmates represented in the one-day snapshot were listed White and 51% were American Indian.

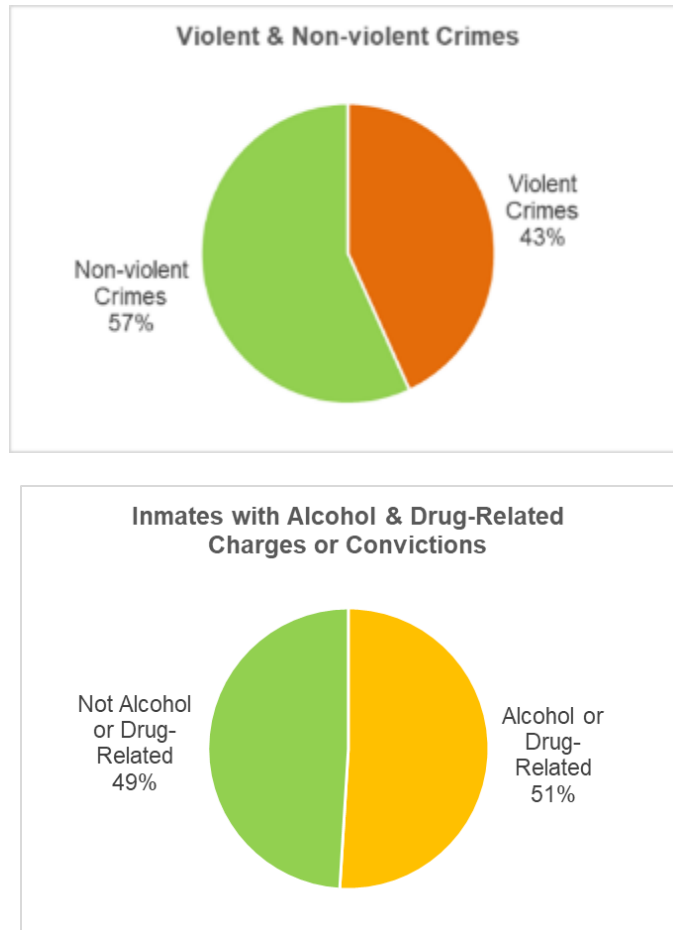


The following figures provide information that is helpful to understand the risk level of the population. The majority of inmates in the snapshot are charged with felony level offenses that include assaults, drugs, sex offenses, and burglary. Many of the inmates were being held in jail for violations of probation or parole or for contempt of court.





Forty-three percent of the snapshot sample were identified as having been charged with or convicted of offenses that involved violence and 51% were identified as being alcohol or drug related. An understanding of these factors also helps identify the risk and need characteristics of the population. These are important in planning to determine the classification breakdown for housing and for services that inmates may require to address mental health and/or addiction issues.



Implications for Planning

Inmate profile data provides a picture of who is in jail and their characteristics. This information is just a very small sampling of the type of data that is helpful in providing a breakdown of future housing needs by size, classification and custody level. It also provides information about the types of risks and needs of offenders that the facility must be prepared to address. As previously noted, it is important to include all inmates in custody, including those held in other facilities, to get an accurate profile of the overall population. Given that the justice system has had to make significant accommodations over the years due to lack of sufficient capacity in the jail, it will also be critical to quantify, to the extent possible, the population of accused and convicted offenders who would likely be incarcerated if the system were to function effectively. The profile data should include a much larger data set than the

Jail and Justice System Assessment

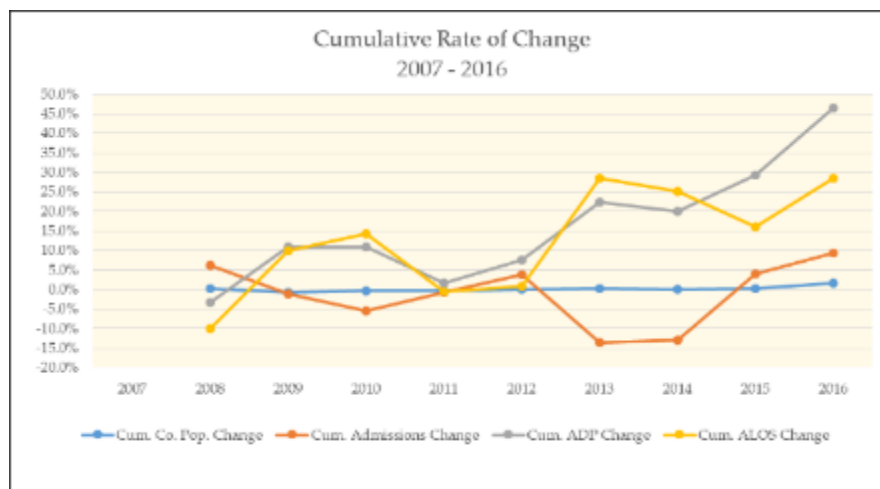


sample used here, in part, for illustration. If possible, a data set that includes all inmates in a recent year would provide a much richer and accurate profile.

Historical Trends

The following table shows the annual historical trends and rates of change on several factors that influence the size of the jail population. The chart that follows shows the cumulative rates of change for several of these factors.

Lake County Historical Trends and Annual Rate of Change of Factors								
Year	Combined County Population	Arrests	District Court Filings	Admissions	Jail Days	Average Daily Jail Population	Average Length of Stay in Jail	Incarceration Rate per 100,000
2007	29,120	834	1,236	1,230	11,315	31.0	9.2	106.5
2008	28,733	662	1,119	1,310	10,950	30.0	8.4	104.4
2009	28,916	353	1,189	1,222	12,775	35.0	10.5	121.0
2010	28,999	373	1,208	1,170	12,775	35.0	10.9	120.7
2011	29,001	340	1,154	1,228	11,680	32.0	9.5	110.3
2012	29,148	968	1,236	1,286	12,410	34.0	9.7	116.6
2013	29,203	724	1,194	1,096	14,600	40.0	13.3	137.0
2014	29,133	762	1,266	1,103	14,235	39.0	12.9	133.9
2015	29,200	908	1,606	1,329	15,695	43.0	11.8	147.3
2016	29,612	987	1,576	1,404	18,980	52.0	13.5	175.6
Ave. Annual % of Change	0.19%	13.57%	3.18%	1.91%	6.38%	6.38%	5.54%	6.14%

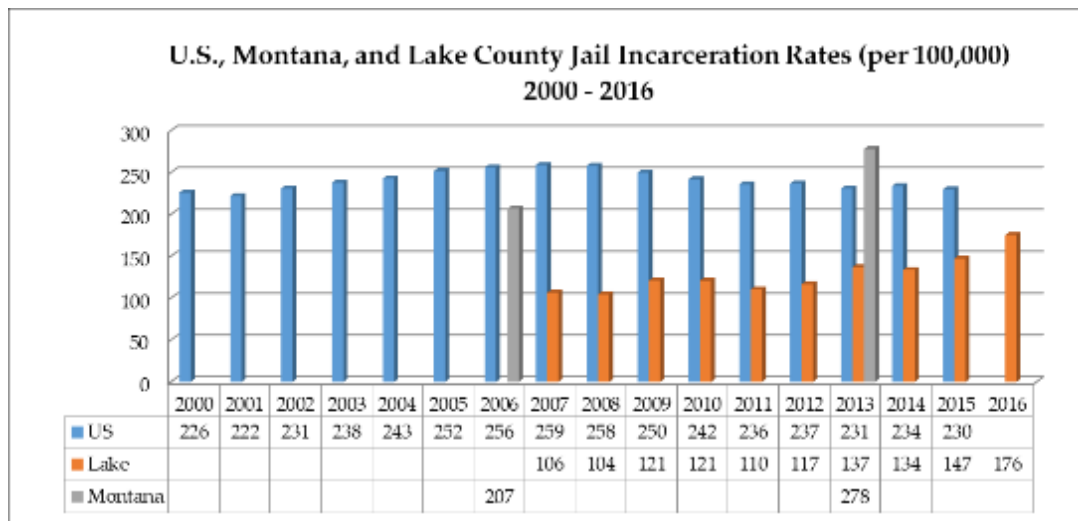


Lake County's general population has been fairly static over the past ten years. Adult arrests, from 2007 through 2016 increased at an average annual rate of 13.57%. While admissions and length of stay increased over the ten-year time period 1.91% and 5.54% respectively, the average length of stay



increased at an average annual rate of 6.38%. These trends are useful in forecasting future bed space needs, assuming no significant changes.

It is also helpful to look at comparative data to see how Lake County compares nationally in its rate of incarceration. In 2013, the average daily population of the jail was 40 inmates. The estimated county population for 2013 was 29,203. Based on these numbers, the incarceration rate (per 100,000 population) for the County was 137. This compares with 231 for the United States and 278 for all jails in Montana in 2013, according to the most recent data available for all three.



The national incarceration rate in jails increased significantly over the past two decades, peaking at 259 per 100,000 in 2007, which contributed to the rapid growth in jail populations across the country. Since 2007 the incarceration rate nationally has declined. The chart above shows the incarceration rate trends over the last 17 years. The Lake County incarceration rate, in contrast with national trends, has increased over the past decade from 106 inmates per 100,000 residents in 2007 to 176 inmates per 100,000 residents in 2016. Any future needs assessment should include the overall county inmate population in calculating the incarceration rate.

The TRPs recognize that Lake County’s incarceration rate would likely be higher if the jail’s capacity were higher, and/or if the Sheriff’s Office was less rigorous about minimizing crowding.

Implications for Planning

Trend data such as that presented here is useful in determining what may be driving jail population trends, and it provides direction for further analysis to see how policy and practices of the criminal justice system may be impacting the jail. Comparative data can provide insight into how Lake County incarceration levels compare with similar sized jurisdictions in-state and nationally.

Section 5. Facility Assessment

The comments pertaining to the existing Lake County Jail building are based on a walk-through of the Jail, several interviews, and a review of previous studies and reports. The comments herein should be considered preliminary.

History of the Lake County Jail

The Lake County Courthouse, built in 1923, contained a very small jail in its lowest level, which is partially below ground level.

In the late seventies, a major addition to the building included a new jail, again on the bottom floor, partially below grade. The project also involved renovating the 1923 jail to accommodate Sheriff's Department offices.

Stemming from a killing and ACLU's subsequent involvement, in 1997 an indoor recreation/multi-purpose room and two single-occupancy segregation cells were added.

Due to severe crowding, over the last 20 years the county has considered adding to the jail again, or building a new jail several times. Plans were not implemented because the various projects lacked funding and adequate political support.

The facility's current capacity is 46, including four segregation cells which are the only single cells. Officials reported that in the past the jail held over 100 inmates. Settlement of a prior lawsuit against the county over jail conditions resulted in a reduction of the capacity to 46.

In addition to alleged and sentenced offenders, at times the Lake County Jail temporarily detains juveniles until they can be transferred to a juvenile correctional facility or released to a parent or probation officer. Juveniles are held in a two-person cell located across the hall from the control room.

Jail Assessment

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A primary goal of a Jail Assessment is to compare and evaluate the performance of existing facilities with current and future needs. Building soundness and adaptability, living conditions and sanitation levels, fire and life safety, safety and security, programs and services, inmate classification and housing, compliance with standards, layout, and capacity are all considerations in conducting an assessment.

The assessment provides information for the jurisdiction to determine the need for facility improvements or the development of new facilities.



The Jail is in the lowest level, partially below ground level, of the building shown above. The entry shown in this photo is used by a wide variety of people: law enforcement bringing inmates into the jail, jail visitors, the public, especially those who need elevator access to the courts, and jail staff and staff from other departments.



Standards

It is important to note that jail operations must meet the requirements of most other institutions and businesses, including environmental codes, fire and life codes, building codes, clean air and smoke free requirements, accessibility requirements (ADA), food service sanitation codes, and employee rights, laws and rules. In addition, jails are also responsible for complying with inmate rights, including the provisions of the Prison Rape Elimination Act (PREA)¹³ and the Minimum Standards for Local Detention Facilities in Montana.¹⁴

Montana's Jail Standards that directly pertain to space include the following:

06.07. There is a means for the immediate release of inmates from locked areas in case of emergency and provisions for a back-up system.

07.01. Facility employees observe all inmates at least every thirty 30 minutes on an irregular schedule and the time of all such checks is logged. More frequent checks are made of persons who are violent, suicidal, mentally ill, intoxicated, or who have other special problems or needs warranting closer observation.

07.07. Where staff posts are not located in or adjacent to inmate housing areas, an audio electronic surveillance and communication system is available.

07.11. The facility has a security perimeter to prevent access to the facility by unauthorized personnel.

¹³ The Prison Rape Elimination Act, 42 U. S. C. 15602-15609 (2003) provides for standards for the prevention, detection, response and monitoring of sexual abuse in adult prisons and jails. Retrieved from http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108_cong_public_laws&docid=f:publ079.108.pdf

¹⁴ Montana Detention Facility Standards, 2014.



08.08. Segregation housing units provide living conditions that approximate those of the general inmate population. All exceptions are clearly documented. Segregation cells/rooms permit the inmates assigned to them to converse with and be observed by staff.

08.12. Inmates in special management units are offered a minimum of one hour of exercise per day outside their cells, five days per week, unless security or safety considerations dictate otherwise.

10.04. Sufficient shower facilities with adequate supplies of hot and cold water shall be available in inmate living areas to permit inmates to shower or bathe daily.

11.08. For health care provided in the facility, space, equipment, supplies, and materials necessary to provide those services are provided.

16.03. Inmate management and housing assignments are based on age, gender, legal status, custody needs, special problems/needs, and behavior.

16.04. If juvenile offenders are housed in the facility, they are housed in an area physically separated from adults. They have no more than incidental sight or sound contact with adult inmates from outside the unit in living, program, dining, or other common areas of the facility. Any other sight or sound contact is minimized, brief, and in conformance with applicable legal requirements.

17.01. Inmate programs and services are available and include, but are not limited to, social services, religious services, recreation, and leisure time activities.

17.04. The facility provides a range of counseling services appropriate to the needs of inmates.

17.06. Inmates have the opportunity to participate in practices of their religion of choice and shall have access to clergy, publications, and religious symbols.

17.08. Inmates have access to exercise opportunities including at least one hour daily of physical exercise outside the cell, when available. Inmates have opportunities to participate in leisure-time activities outside their respective cell or room on a daily basis.

18.02.01. Inmates may be housed in cells which provide less than 70 square feet of floor space in single occupancy cells and 45 square feet of floor space per inmate in multiple occupancy cells under the following conditions: (Recommended)

- a. Single occupancy cells provide at least 35 square feet of unencumbered floor space. At least 70 square feet of total floor space is provided when the occupant is confined for more than ten hours per day.
- b. Multiple occupancy cells provide at least 35 square feet of unencumbered floor space per inmate.
- c. Inmates are locked in their cells no longer than 10 hours per day, and



d. Inmates have access to a dayroom at other times which provides the additional space necessary to offer inmates access to a total of 100 square feet of living space in combined cell and dayroom;

19.20. (for new and renovated facilities) Both outdoor and covered/enclosed exercise areas for general population inmates are provided in sufficient number to ensure that each inmate is offered at least one hour of access daily. Use of outdoor areas is preferred, but covered/enclosed areas must be available for use in inclement weather.

19.23 (new and renovated facilities) Space is provided for a 24-hour secure control center for monitoring and coordinating the facility's security, life-safety, and communications systems. Staff assigned to a control center has access to a toilet and wash basin. There are multiple communication systems between the control center and inmate-occupied areas.

Overview of the Lake County Jail's Physical Plant

The Lake County Jail has insufficient capacity, too few housing units for its classification system, inadequate space for every service, and no space for any programs when the only multi-purpose/recreation room is used as a dormitory. For staff, sightlines to inmate areas are poor, and work spaces are overly compact and unpleasant. For both inmates and staff, natural light and views of the outdoors are non-existent in all but one space, acoustics are poor, and the overall ambience is dismal.

The jail contains many building elements that pose safety and security risks; and its physical plant is not compliant with current professional standards for accommodating inmates and providing services and programs.

Many portions of the facility appear to be out-of-date and dysfunctional. Renovation to meet current standards and provide adequate capacity and space for services and programs is not feasible for several reasons. First, the entire interior would need to be gutted, and removing concrete and steel walls is very expensive. Secondly, the ceilings are too low and cannot be raised. Thirdly, because considerably more space is needed for housing and all other components, a large addition that would more than double the building's footprint would be needed, and this could negatively impact other county departments, such as courts, and the site. Lastly, gutting, renovating, and expanding the jail would approach or possibly exceed the cost of new construction, and it would have many constraints that would keep the renovated and expanded jail from being as well-designed as a new jail.

Despite the numerous physical limitations, it appears that Lake County Jail's administrators and staff do the best they can. Even the inmates, unprompted, say this.



Housing Units

The Lake County Jail's housing consists of four dormitories, one unit with multi-occupancy cells, and four single occupancy cells, all noted in the following table.

Unit Designation	Housing Classification Category	Cell Type	# of Cells	Unit Capacity
Block A	Medium Security Male	Dormitory	1	12
Block B	Minimum Security Male	Multiple	4	12
Block C	Minimum Security Female	Dormitory	1	6
Block D	Medium Security Sex Offender	Dormitory	1	6
Block E	Maximum Security Male	Dormitory	1	6
Segregation	Disciplinary/Admin. Segregation	Single	4	4

The total capacity is 46. "Boats" (plastic sleeping platforms) on the floors of dayrooms and in the Recreation/Programs room facilitate crowding of up to about 12 more inmates.



One of three six-person Dormitories



Two- person Sleeping Area within Dormitory



Dayroom



One of the 4 Single Cells, for Segregation and Isolation



With only four single cells in the entire jail, more are needed for all the populations who should be housed separately from the general population. These include sexual predators, people who are extremely violent, certain protective custody inmates, and those who require disciplinary segregation.

When more of Lake County's inmates need to be separated from each other because of their or others' behaviors, the jail's staff and administrators have four options. However, all of which have negative impacts. One, they can re-evaluate the four people in single cells and see if one of them is now able to live with others. Two, if there are no juveniles in the two- person juvenile cell, they could place one or two inmates in this two-person cell. Three, if no visiting is expected that day, they can assign an inmate to non-contact visiting. Four, they can use the only recreation and programs room as another dormitory.



Juvenile Two-Person Cell



Recreation Room / Programs Room / Multipurpose Room used for Housing

Note that the juvenile cell is across from the control room and along a corridor that adult inmates pass. It has a flap on the door's window which keeps adult inmates from looking in, but at the same time it limits staff's casual observation (other than via a camera). At this location, sound separation of juveniles from adults is not present or feasible.

All of the jail's housing is designed for and operated by Indirect Supervision. To see inmates in the four single cells, staff must walk in front of the cells and open the interior windows on doors that face corridors. Views into the multiple occupancy housing unit and the dormitories require staff to walk in front of the units and look through bar fronts. Portions of the dormitories and the multiple occupancy unit are impossible to see without staff walking inside the housing units.



Camera in Corridor Adjacent to Housing Unit



Control Room with Monitors, not always Staffed

The bar fronts and metal furniture in the housing units present potential risks of suicide, especially without continuous visibility by staff.

The dormitories and the multiple occupancy unit have televisions in the dayroom areas. Inmates in the single cells have radios. Boredom is rampant, especially when the only space available for programs and recreation is used as a dormitory (as it was at the time of the late 2017 site visit).

Besides recreation and programs, another important benefit of inmates going to the multi-purpose room when it is not used as a dormitory is that it provides the only opportunity for inmates to receive natural light and have a view of nature. These are important for all (including staff), and are especially helpful to the mentally ill. All other windows are covered by black blinds, largely because the jail is partially below ground level, and because the public can walk close to around the entire building.



Typical Window within the Jail – the Blinds are Never Opened due to their Locations



Glazed Ceiling in the Multi-Purpose / Programs / Recreation Room



Booking/Intake

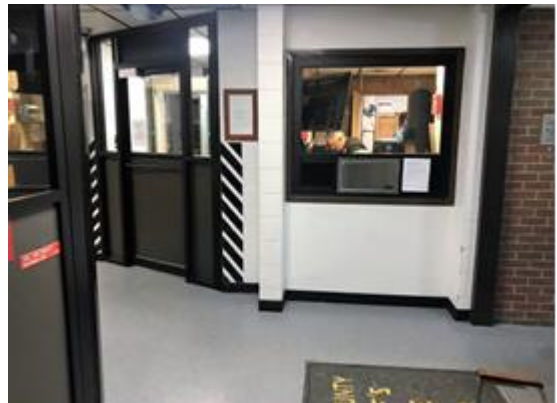
Prisoners are brought in the facility down a ramp from ground level to the lower level public entrance of the jail and sheriff's office. This is the same entry used by staff and the public, especially those who are physically handicapped, since this is the only entry that connects to the building's only elevator. The jail lacks a vehicular sally port and there is no pedestrian sallyport at the building's perimeter.

Once in the building, law enforcement officers walk inmates through the public lobby and by the control room, and are then buzzed into a new pedestrian sallyport that leads to all jail areas.

As with all space, and circulation space within the jail in particular, the sallyport, corridor, and the entire booking area is narrow and tight.

There is only one Holding Cell, and there is no open seating area for incoming inmates who may not need to be in a cell. When necessary, the inmates' side of the non-contact visiting serves as a second Holding Cell, but it lacks plumbing, and it is used for a variety of other purposes.

The control room operator completes the booking process with the prisoner through a window and pass-through between the corridor and the control room.



Public Lobby



Law Enforcement Officers escort alleged offenders into the building via the same entry used by Staff and the Public



Entire Booking area is small and lacks acoustical privacy



Prisoners are then escorted by jail staff to a narrow room where the search, shower, and clothing exchange process occurs and where personal property is stored. Fingerprinting and photographs take place in the former laundry room across the hall.

There are no acoustically private spaces for medical and other interviews. Creative use of space and operational compromises are often made to accommodate interviews, literally in any available space.

All “functional” areas within the Booking and Intake area are insufficiently sized for the population and do not support efficient operations.

Physical and Mental Health

The Lake County Jail lacks an examination room, an interview/counseling room, and a dedicated lockable medicine storage room. At the time of the site visit, a Physicians’ Assistant worked several days a week, each time for a few hours, and the county was considering hiring a nurse who would work more hours.

A mental health professional also works in the jail for a few hours several times a week. Both the PA and the mental health professional are also on call.



Inmate Property Storage Area



Janitor’s Closet/Storage Room/Sick Call Room



Medicine Cart kept in Mechanical Room

No suitable space is available for the PA and therapist to consult with or examine inmates. They use spaces that also serve as a janitors’ closet, a holding cell, and non-contact visiting. Not only are these spaces completely inappropriate, but they lack acoustical privacy and needed for confidentiality.

Since many inmates have addictions and other physical and mental health issues, more supportive and appropriate spaces are needed for health care treatment and housing those with a variety of ailments



who should not be in the jail's dormitories or the multi-occupancy unit. This is especially problematic because, compared to when the jail was built, a higher percentage of inmates have serious and chronic illnesses, and more inmates are older.

Program Areas

Excluding non-contact visiting, there is at most one space for programs in the Lake County Jail, depending upon the need to use the sole Recreation/Programs/Multipurpose Room for additional housing. Furthermore, non-contact visiting is also used for other purposes, including housing and interviews. The jail has never had an outdoor recreation area.



Recreation/Programs – or Dormitory



Non-Contact Visiting – also sometimes used for Temporary Holding

At the time of the Jail and Justice System Assessment, the Recreation/Programs space was being used as a dormitory, and the inmates had no access to recreation or treatment or educational programs. In the past, programs included adult education, religious services and Alcoholics Anonymous.

Administration

The Sheriff and Undersheriff's Offices are in what was the old jail across the public lobby from the current jail. Most offices had been cells or dormitories.

Within the jail, sergeants and staff offices are small and generally accommodate multiple non-compatible functions. Like most of the jail, the offices lack windows and have low ceilings.

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Sergeant's Office



Office/Storage/Janitor's Closet

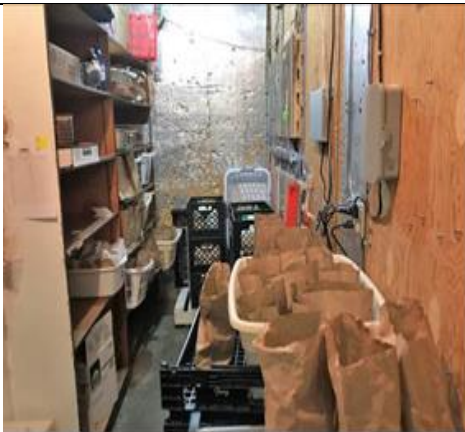
Staff Areas

The Lake County Jail has no spaces for staff support. There are no staff locker rooms, not even a dedicated staff-only bathroom. Within the building, there are no spaces for staff briefings, training, mid-shift meals, or breaks. When staff eat, they primarily do so at their workstations.

The jail's design and provision – or lack of -- staff support space along with the jail's lack of natural light and outside views and overall ambience may negatively impact staff morale and the ability to attract and retain excellent staff. However, the consultants' encounters with staff were positive, inmates who were interviewed complemented staff, and evidence of low staff morale was not observed.



Small Kitchen Area



Cold Food Storage



Warming Cart Stored in Corridor

Laundry is now done by a private vendor outside of the jail due to lack of space within the jail. The former laundry room is used for other functions. Jail uniforms, linens, and other supplies are stored in the adjacent mechanical room where the heating system for the courthouse is located. Another storage area for mattresses and other jail supplies is a closet off the Recreation/Multipurpose Room.



Building maintenance is centralized for Lake County. There are no spaces dedicated for maintenance within the jail.

Fire and Life Safety

All security doors in the housing area are manually keyed, which could present problems in the timely evacuation of the jail in the event of a fire. A secure, enclosed outdoor refuge area is not present.

Smoke detectors are located throughout the jail. There are sprinklers in the newest section of the jail (Multipurpose Room and two Segregation Cells), but not in the rest of the jail. The jail is equipped with SCBA air packs.

There are written policies and procedures for handling emergencies and posted evacuation plans.

There is emergency power to the entire jail and courthouse.

Safety and Security

The linear design, manual locks, bar fronts, low ceilings with reachable electrical wires and plumbing pipes, and numerous blind spots and poor sightlines all contribute to significant safety and security issues.

Numerous cameras are located throughout the facility, and although they support observation of inmates, they do not provide the management and behavioral benefits of direct visual supervision. Furthermore, jail staff operate the Control Room and watch the monitors intermittently, and although there are monitors in Dispatch with the same views, those monitors are somewhat distant from the dispatchers' workstations. It is important to note that research indicates that monitoring via cameras is not generally effective, and that face-to-face observation works much better.¹⁵

Access to and from Courts

Staff must walk inmates from the jail to the Public Lobby and then up the only elevator that exists in

¹⁵ A research project by Jim Aldridge at the UK Police Scientific and Development Branch (PSDB) looked at how well operators could detect somebody with a specific object using different numbers of monitors. They found that observers viewing one, four, six and nine monitors showed accuracy detection scores of 85%, 74%, 58% and 53% respectively in picking up the person with the object. Source: Obtained from the Internet 8/2/12 5:37 PM; <http://www.securitysa.com/article.aspx?pkarticleid=3313>

¹⁵ Experiments for the U.S. Department of Energy to test the effectiveness of an individual whose task was to sit in front of a video monitor(s) for several hours a day and watch for particular events demonstrated that such a task, even when assigned to a person who is dedicated and well-intentioned, will not support an effective security system. After only 20 minutes of watching and evaluating monitor screens, the attention of most individuals has degenerated to well below acceptable levels. Monitoring video screens is both boring and mesmerizing. Source: The Appropriate and Effective Use of Security Technologies in U.S. Schools. U.S.



the building. Inmates can come in contact with the public and staff here and along the corridor adjacent to the courtrooms. Furthermore, there are no court holding rooms next to the courtrooms or elsewhere. These building design elements present potentially dangerous situations, including opportunities for contraband and worse.



The Building's Only Elevator



Court Corridor

Accessibility for Persons with Disabilities

One of the newer single cells, a nearby shower, and the Recreation/Multi-purpose Room are handicapped accessible. Inmates reported that older inmates have a difficult time when they are assigned to upper bunks.

Building Systems

Mechanical, plumbing, and electrical building systems were reported to be functional; however, they require significant ongoing maintenance due to age and constant use.

Staffing

The Lake County Jail has 20 full time employees. A breakdown of the jail staff is as follows:

- 1 Jail Administrator (Captain)
- 2 Sergeants
- 1 Control Room Operator
- 2 Transport & Court officers
- 14 Officers

Two secretaries/clerks/administrative assistants serve the jail and all other Divisions of the Sheriff's Offices. Food services are contracted through a private vendor. Mental and physical health services are also contracted. Most jail staff work 12-hour shifts.



Summary

In summary, the Lake County Jail has numerous significant building-related issues that impact staffing and operations, safety and security, manageability, the welfare of staff and inmates, and the potential for inmates to rehabilitate. The major issues include the following:

- Lack of sufficient operational capacity to meet bed needs.
- Public safety is compromised due to lack of adequate bed space capacity
- Too few housing units to properly house inmates by classification category.
- Too few single cells (only four).
- General lack of space – the jail needs more space for all functions.
- Overall poor layout creates potential security and safety hazards.
- The layout makes it virtually impossible to provide active and continuous supervision of inmates.
- Extremely poor sightlines and a resulting over-reliance on cameras – which are less effective than direct observation and supervision.
- The only space that was built for inmate programs is often used for housing. When this occurs, there are no programs, precluding beneficial activities for most inmates (other than reading). Further restricting the number of inmates in the jail would enable the Recreation/Multipurpose room to be used again for recreation, religious services, substance abuse programs, and so forth; and this would benefit inmates and help the county meet standards. On the other hand, fewer beds and fewer housing units could necessitate housing incompatible inmates together, and it could exacerbate frustration felt by law enforcement officers who see alleged offenders released shortly after booking.
- There are no suitable spaces for interviews and meetings with law enforcement, probation and parole, public defenders, and other official visitors to meet with inmates;
- No suitable spaces for counseling, medical exams, or housing physically and mentally ill inmates (other than in the general population housing units).
- All spaces are small, including offices, and there is no space for staff support – no break room, no briefing room, no locker rooms, not even a dedicated staff bathroom.
- Lack of inmate privacy from other inmates in most housing units, which can lead to potential questions of Prison Rape Elimination Act compliance.
- Grossly inadequate and poorly laid out space in booking/intake.
- Inadequate storage space.
- With windows only in one space (the Recreation/Multipurpose Room), dull paint colors, poor acoustics, and low ceilings, the environment may negatively impact the well-being of staff and inmates, especially the mentally ill.

Jail and Justice System Assessment

• • •

- No secure vehicular sallyport entrance; inmates must be walked into the building through an entrance shared with the public and staff.
- No secure control room; control room is not continuously staffed.
- Aging and worn building systems, equipment, and furnishings require constant maintenance
- Must use the only elevator in the building as well as walk inmates along corridors shared by the public and staff to move inmates between the jail and courts.
- Manual locking systems, outdated hardware and building systems; parts hard to get.



Section 6. *Meetings with Criminal Justice Officials*

During the JJSA, the technical resource providers (TRP) met with many of the local criminal justice officials including several judges, prosecutor, public defenders, probation officers, the Sheriff and Undersheriff, jail administrator, local police chiefs, and health care providers. The TRP's also met with all three County Commission members.

The criminal justice officials were provided a set of survey questions prior to the JJSA and were asked to provide responses that could be further discussed during the meetings. The following is a summary of the comments and information that was collected from the survey and interviews. The comments are not presented in an order of importance but are a reflection of the interview agenda.

Sheriff's Office

Donald Bell, Sheriff

Ben Woods, Undersheriff

Joel Shearer, Captain

John Todd, Detention Sergeant

Ray Czak, Detention Sergeant

- Waitlist of approximately 800 offenders to serve jail sentences.
- Backlog of 1600 warrants that can't be served due to lack of jail space.
- Staff turnover rates are high.
- Arresting officers with detainees in custody are routinely turned away due to lack of space in the jail.
- Waitlist of inmates in jail who are sentenced to State Prison or the Department of Corrections – May take as long as 6-8 months for female offenders to be accepted into state facilities.
- Extended delays in getting inmates into state facilities for mental health evaluations.
- Per diem costs for Lake County inmates is currently \$114/day; state pays \$69/day for counties to house state inmates. Lake County has in the past sent some of its state inmates to other counties to be held that are interested in getting the state per diem.
- There is a work program that offers credit for time served where offenders can work in the community – They often do not complete obligations when they realize they can't be jailed for non-compliance.
- Offenders in the community have a general disregard for conditions established by the court due to the lack of consequences.
- The exercise/program room is being used to house overflow of inmates – when this occurs there are no recreation or other programs (except for non-contact visiting).



- The Tribe is seeking full retrocession which would eliminate county/state responsibility for prosecuting felony cases involving tribal members on the Reservation. Impact on the jail is not clear. About half of the current inmates are Native American.
- Due to the Tribe purchasing more land, the tax base has been shrinking – presents challenges in funding costs of building a new jail. Tribes pay little to support county government.
- There are numerous facility issues beyond overcrowding. These include no secure intake sallyport; access into the facility shared with the public; inmate access to the courts is shared with the public; lack of housing for special needs inmates; problems with HVAC, electrical systems; lack of adequate, functional space for support services (kitchen, laundry, custodial, medical, etc.); no functional intake and release area, and no recreation or program space when this area is used to house overflow inmates.

Law Enforcement

Lake County Undersheriff Ben Woods

Ronan Police Chief Kenneth J. Weaver

Wade Nash, Polson Police Chief

COMMUNITY RISK FACTORS

- Struggling economy. There are fewer employment options now than in the past with the loss of lumber mills. Limited options for low/middle income employment.
- High prevalence of drug and alcohol use. Meth/Heroin are presently the two major drugs.
- Few treatment options for the mentally ill.
- Not enough facilities or beds for the mentally ill.
- Very high suicide rate. Not only does MT have a high rate, nationally, but Lake County ranks among the top counties for suicide within MT.
- High incidence of drug-related crime.

TRENDS DRIVING DEMAND FOR ADDITIONAL JAIL BED SPACE

- High prevalence of drug/alcohol abuse.
- Methamphetamine use on the Flathead Reservation is prevalent and is a causation factor for a majority of property crimes, theft from vehicles, theft from buildings, forgeries, motor vehicle theft and residential burglaries.
- Lack of coordinated drug enforcement strategies.
- Broken families and parentless children.
- Unprecedented State Child Protective Services caseloads with 65% of all statewide referrals last year citing drug use as the driving factor for state intervention.

IMPACT OF JAIL CONDITIONS/INSUFFICIENT CAPACITY ON THE EFFECTIVENESS OF LAW ENFORCEMENT OR THE LOCAL JUSTICE SYSTEM



- Demoralizing to law enforcement - the feeling that law enforcement cannot keep individuals and the community safe.
- Lack of consequences for criminal behavior limits the effectiveness of the justice system to hold offenders accountable, deter crime, or prevent continued criminal behavior.
- Citations are issued in circumstances where accused offenders might have otherwise been arrested and booked due to lack of jail beds.
- Increases in FTA's occur as accused offenders realize they are unlikely to be arrested if a warrant is subsequently issued.
- No space for sentences to be served.

IMPACT OF ADDING ADDITIONAL JAIL BED SPACE CAPACITY

- Probation/Parole violators would less likely to violate with impunity.
- DUI's would actually spend the night in jail if they couldn't post bond.
- Burglars and property crimes suspects would be expected to post bond instead of being released on recognizance.
- Drug offenders would be arrested and held on bond when caught. This would provide an interruption to their use of drugs and resulting criminal behavior.
- There would be consequences for committing crimes and offenders would be held accountable for their actions.
- There would be space available to bring an arrestee into the system for a new arrest or on a warrant to appear in court.
- There would be space available to house offenders sentenced to jail.
- Crimes against property and against public order, including criminal mischief, trespass, burglary, theft and disorderly conduct would be addressed.

OTHER PROGRAMS AND SERVICES NEEDED IN THE COMMUNITY TO HELP REDUCE CRIME AND/OR HELP REDUCE RECIDIVISM

- Drug treatment programs.
- Jail-based programming that includes drug/mental/spiritual health opportunities provided by local service providers. This would provide a seamless transition into those programs on the outside once an offender is released.
- Greater emphasis on mental health treatment.
- Greater emphasis on provision of veteran's services.
- Greater emphasis on youth programs.



- A grant funded Drug Court program to include Tribal Courts.
- A Mental Health Court program to include Tribal Courts.
- A reentry program for offenders returning to the community from jail or prison.

Prosecution

James Lapotka, Chief Criminal Deputy County Attorney

CASE LOAD TRENDS

- Increasing drug crimes over the last 5 years and a significant increase in probation revocation holds for drug crimes and drug violations.

CASE FLOW PROCESS

- Plea agreements are typically made between arraignment and Omnibus hearings; most plea agreements result in a joint recommended sentence that a judge can't deviate from without unraveling agreements and starting over. As a result most plea agreements are effectively binding on all parties and the court with limited exceptions.
- Case processes are not as efficient as they could be. Since the jail is full, there are a lot of people cited into court several weeks after they are issued citations for serious felonies, and a significant number of those people don't show up for court and require a bench warrant for FTA. Since the jail is full when they are found, the warrants can't be served.

IMPACT OF ADDING ADDITIONAL JAIL BED SPACE CAPACITY

- Felony DUI's, drug distributors, and parole violators would be held, even if just for a few days so that attorneys can be appointed and so that the alleged offenders can be released on simple conditions. They cite and release far too many offenders.

OTHER PROGRAMS AND SERVICES NEEDED IN THE COMMUNITY TO HELP REDUCE CRIME AND/OR HELP REDUCE RECIDIVISM

- Need more licensed addiction counselors and outpatient treatment options in the community.
- Need formal pretrial diversion program for drug offenders.

ANTICIPATED FUTURE CHANGES IN LAWS OR CRIMINAL JUSTICE PRACTICES

- New DOC guidelines on probation revocations will increase the likelihood of jail sanctions and decrease revocation to DOC. Most likely, they will have more short-term probation holds and less long-term revocation pending holds on DOC people.



- The recent state legislative changes were primarily aimed at reducing State DOC inmates. Recent State Budget cuts and DOC trends will likely have the impact of increasing reliance on local jails as wait times for underfunded state programs increase.
- They are working on a pilot project with the State Court Administrator to implement a pretrial risk assessment tool, but they lack a day reporting program or electronic monitoring resources to effectively supervise moderate risk pretrial offenders.

Office of the Public Defender

Eldena Bear Don't Walk, Managing Attorney

Bob Long, Public Defender

Ashley Morigeau, Public Defender

CASE LOAD TRENDS/ISSUES

- Cases have not been changing as much as more cases seem to be charged. Increase in cases for Failure to Appear.
- County has very poor bus system – difficult for clients to get to court.
- A lot of poverty.
- No cell phone service in some areas – can't be contacted to be reminded of court dates.

CASE FLOW PROCESS

- Plea bargains are usually accomplished before omnibus because of a special policy. The policy states that if the parties enter into a plea agreement prior to omnibus and the court rejects it, the defendant can withdraw the guilty plea. If the parties submit a plea agreement after omnibus then the court can sentence anyway it wants to within the statutes. The process depends on which prosecutor has the case. Some offer plea agreements right out of the gate and some have to be contacted multiple times to get anywhere. Sentencing is an important part of the plea agreement process.
- Some cases are resolved within a 6 month window (usually the drug cases). Other cases that need more evaluations or interviews may take longer.
- Recommend fewer bail jumping charges.

OTHER PROGRAMS AND SERVICES NEEDED IN THE COMMUNITY TO HELP REDUCE CRIME AND/OR HELP REDUCE RECIDIVISM

- Need more viable treatment options for clients who have drug issues.
- Establish satellite courts; use Skype for court.
- Public Defender's office could use a social worker.



ANTICIPATED FUTURE CHANGES IN LAWS OR CRIMINAL JUSTICE PRACTICES

- There is a pretrial assessment pilot program in the works. This is a state funded assessment meant to keep more clients out of jail, pretrial.

Courts

District Judge Deborah Kim Christopher

District Judge Jim Manley

Justice Randall Owens

Justin Bartels, Ronan Justice of the Peace

Sharon Richardson, St. Ignatius City Judge

CASE FLOW PROCESS/SYSTEM ISSUES

- Delays in case process are generally discovery based. Trials are scheduled no later than 6 months after their first contact with law enforcement however all too often these matters are continued. (“I have a rule that if a person enters their change of plea before omnibus and I determine after reviewing the PSI that I will not sentence in accordance with the plea agreement, the Defendant’s plea is withdrawn and their guilt plea re-entered with trial reset. If they wait until after omnibus to change their plea, they cannot withdraw their plea and they will be sentenced in accordance with the law.”)
- Delays occur frequently in drug cases due to defendants absconding.
- Can’t get warrants served due to lack of space in the jail.
- Felony DUI’s often get released or can’t be housed due to lack of jail space.
- Domestic cases often do not result in arrest.
- Another difficulty is that the two district court departments must function out of the same office space and in the same and only courtroom. This is unique to this county and causes significant delay and incredible planning nightmares. “(I stack trials up to 25-30 deep for the two weeks of a month that I can set trials.”)
- Most plea agreements are reached before omnibus and after discovery has been fully provided along with a plea agreement that is negotiated between the parties. Judge will take a change of plea pursuant to a plea agreement but typically waits for the chance to review the pre-sentence report before completing participation in the plea agreement.
- Plea agreements are usually reached around 30 days before trial dates.
- Justice Court case process is not efficient due to loss of contact with defendants both by the court for non-appearance/non-payment and by the appointed attorneys.
- City and Justice Court Judges rarely consider jail because they know there are no beds available.



RECOMMENDED IMPROVEMENTS IN CASE PROCESS

- Cases involving the same defendant should be charged together in the same filing instead of separate files. The separate filing creates a duplication in paperwork for the court, the parties and the Department of Corrections. It can result in the cases being spread between the two judges with more paperwork created and multiple judgments, sentences and PSI's.
- Cases that are not going to result in potential jail time, especially those crimes that do not involve a particular victim should initially be handled by a deferred prosecution agreement and placed into drug court, as those cases are generally criminal possession of dangerous drugs.
- More serious drug cases like distribution have a community wide repercussion that should result in consequences that place the perpetrators in a circumstance that they should have to work themselves out of the hole they have created and should be held to a higher standard than possession.
- Cases that impact the civil rights of others should have the backing of the court system so that the victims have a voice sometime in the process. DUI's whether drugs or alcohol are a cause of great concern given the horrendous possible consequences intended or more typically unintended.
- The Courts, probation and the process need disincentives to impose on convicted criminals.
- More staff are needed for Justice Court. According to the Justice of the Peace.
- A misdemeanor probation system is needed. Services provided by private vendor but many offenders can't afford the cost (\$75/mo.).

IMPACT OF ADDING ADDITIONAL JAIL BED SPACE CAPACITY

- DUI's and misdemeanants which have an assault/threat to the community aspect to any charge plus probationers that are in violation would be incarcerated.
- More felony drug offenders would be housed.

OTHER PROGRAMS AND SERVICES NEEDED IN THE COMMUNITY TO HELP REDUCE CRIME AND/OR HELP REDUCE RECIDIVISM

- Treatment, Education, Employment and Support Systems.
- Pre- and post-sentencing treatment options.



ANTICIPATED FUTURE CHANGES IN LAWS OR CRIMINAL JUSTICE PRACTICES

- Lake County has been in crisis management for over 20 years. There have been little to no improvements or changes. Their stewardship of the system, buildings, jail and programs have been abysmal but much of that is due to the lack of funding to make changes, the mandate on elected officials to stay within their budgets, the cap on taxes and the County Commission failure during the last twenty plus years to fulfill their promises to the legislature or to follow District Judge McNeil's order to provide the statutorily required courtroom and office space for the two court departments in the Twentieth Judicial District.
- The recent state legislative changes were primarily aimed at reducing State DOC inmates. Recent State Budget cuts and DOC trends will likely have the impact of increasing reliance on local jails as wait times for underfunded state programs increase.
- Working on a pilot project with the State Court Administrator to implement a pretrial risk assessment tool, but they lack a day reporting program and electronic monitoring resources to effectively supervise moderate risk pretrial offenders.
- HB 133 reduced many misdemeanors to non-jailable offenses. Does not impact the jail so much, but limits the Court's ability to appoint attorneys so there is less communication with defendants.

Probation

Lori Thibodeau, Supervising Lake County Adult Probation and Parole Officer

Barbara Monaco, Juvenile Probation

CASELOADS

- Caseloads here are higher risk and higher in numbers compared to most of the state. Too much time spent on managing offenders who need placement in the county jails after sentencing. Officers are also writing PSI's, only recently hired a PSI writer who will write up to 8 PSI's a week in Lake County. Timelines are shorter for hearings at 5 days, including weekends and holidays. Placement investigations are increasing as they have Parolees and Conditional Release Offenders (like Parolees only committed to DOC for ability to be screened for programming, then released back into community).
- Attempting Risk/Needs assessments, however they believe they are cutting corners to meet the requirements and not utilizing the tools correctly.
- Lack of meaningful time to spend with offenders on prevention, always putting out fires.
- Ever-changing DOC policies, new procedures, new screening tools, new case management tools, new computer program.
- Internal issues with DOC and legislative changes this session.



- Very stringent time frames for PSI's, Placement Investigations and On-Site and Disciplinary Hearings. Too much travel time for transporting offenders and holding hearings.
- Managing offenders in jail for placement instead of focusing on offenders on community supervision.

PROGRAMS AND SERVICES ARE AVAILABLE TO PROBATIONERS IN LAKE COUNTY

- Chemical Dependency
 - Western Montana Addiction Services, state ran program, with sliding fee scale; they accept Medicaid.
 - Tribal Behavioral Health CD Treatment – Services have been a struggle in the past, but they are currently running a traditional IOP program. This is the only program that provides a treatment group setting for clients. The probation supervisor reported that staff accountability to their clients has been an issue for all the years she has worked there.
 - Private CD programming has not in the past been very assessable here, very few people have private insurance or can self-pay so they utilize the funded programs. There are also very few private counselors. Recently the legislature changed the ability for additional agencies to open within the community and there should be more options as they now may have the ability to accept and bill Medicaid. They are hopeful for this; there has been one newly approved, and they are waiting to get it up and running.
 - New Sobriety Program running in Ronan, has something going on daily and it also offers the SMART recovery treatment program.
- Mental Health
 - Western Montana Mental Health Center accepts Medicaid and has a sliding fee scale. They provide counseling and case management services, and they service co-occurring clients. They have a licensed LAC on staff for this.
 - Sunburst Mental Health accepts Medicaid, has a sliding fee scale, and provides case management services, counseling, and medication management.
 - Tribal Behavioral Health – Is staffed by many interns and short-term employees. It struggles with staff accountability to clients at times.
 - Individual Private Providers – Clients utilize them on occasion. Medication management can be a problem if they cannot prescribe and the client is in need of medications for mental health issues.
 - Tribal Reentry Program – Provides limited services to clients who are typically high need and just returning from prison. The program provides evaluations, and then



makes referrals for ongoing services to get them on medications and stabilized. Occasionally it provide some ongoing counseling.

- Compliance Monitoring Services – Private Business
 - Misdemeanor Probation Services: This is not being utilized very often by the courts; they state the offenders cannot afford it. However, some dispute this as the cost is \$75 per month.
 - Pre-Trial Services: Courts are not imposing this, stating offenders cannot afford the fees. It also costs \$75 per month.
 - Alcohol Monitoring (SCRAM/REMOTE BREATH): This is paid by offenders. On a rare occasion, they can get approval for the first month of monitoring to be paid by DOC. Mostly ordered by Court as a bond condition.
 - Drug Patch: This is self-pay by offenders, again on a rare occasion, we can get approval for the first month of monitoring to be paid by DOC. Mostly ordered by Court as a bond condition.
 - Urinalysis Testing (UA). They have the ability to set up a UA program, however there is no funding source available.
 - GPS/House Arrest: On occasion, the Courts order this as a bond condition.

ALTERNATIVE PROGRAMS

- They do not operate any community alternative out-of-home programs nor have they entered into any contracts with other community providers for contracted services. On an occasional basis, they may pay the first month of SCRAM/Alcohol monitoring for someone or the first drug patch until the offender can self-pay. They experience budget issues. Their only contract is with a vendor for GPS tracking.
- Offenders who can self-pay for alcohol monitoring may avoid revocations if they can be successful on SCRAM/Alcohol Monitoring devices. They could not get enough people ordered to the 24/7 program, so it ended. Again, on occasion they can pay for a short time on alcohol monitoring or for a drug patch.
- They have a (modified) Day Reporting Program and a Treatment Accountability Program offered in house to offenders who have violated their conditions or who have been ordered at discharge through the Parole Board or DOC.
- They have a contract with BI for GPS, which they utilize for mandatory offenses or as a sanction for violations of probation. It is on a sliding fee scale, BI bills the offenders themselves and DOC pays the remainder. There is a statewide contract.



- DOC has a contract with two Chemical Dependency Counselors. One counselor participates as the treatment component in their TAP program and provides CD evaluations for probationers needing in-patient treatment who are in the TAP Group. The other contracted Provider completes their Chemical Dependency Evaluation for offenders in jail, as other providers will not conduct evaluations at the jail, as most have lost Medicaid due to incarceration. The Tribe will not do evaluations in the jail. Evaluations are necessary for screening for DOC treatment programs.

GAPS AND NEEDS

- They believe that they need to utilize monitoring; accountability works for offenders and making excuses for them that they cannot afford it is not even attempting to try. If they cannot pay, it could be addressed then.
- They have no ability to help offenders who are full blown drug users. They cannot get them into the jail for evaluations, so they end up absconding, Reports of Violation are filed with the Court and warrants are issued. Often, the offenders commit new felonies, and they are often picked up and “we’re back at square one”.
- There is no accountability as offenders know that it will most likely be a few years and luck of the draw if they do have law enforcement contact if there is room at the jail.
- They want to use Pre-Trial Programming. This would help them weed out who is able to attend treatment and who is going to need more intervention to get there. If they could impose jail, then they could encourage inpatient treatment; they may have a shot on probation; without any intervention it is unlikely. Treatment should include as necessary: Alcohol Monitoring, GPS, Drug Patch, Daily Reporting, and Random UA’s.
- Misdemeanor Probation: Ongoing support of Misdemeanants who are struggling is needed. They would get offenders off probation once they comply with conditions, and would work with the ones that struggle.
- Jail Diversion Program. This program is available with a cost of about \$50 per day. Most offenders cannot afford it and if they can, they can also afford Misdemeanor Probation Fees.

Maintenance

Jim Wilson

- Challenges in maintaining building systems – 1940’s vintage sewer with clay pipes; small 4” pipes; lack of shut-offs for water; no sewer grinder – inmates periodically try to clog with clothes.
- Electrical is low voltage.
- Lighting and vents are accessible to inmates – they tamper with and cover vents and fixtures



- Added new emergency generator for courthouse in 2016.
- Difficult to deep clean, paint, and repair fixtures and furnishings due to crowding – no place to move inmates while repairs are being made (facility shows considerable wear and tear).

County Commissioners

Bill Barron

Dave Stipe

Gale Decker, Chair

- Understand need for jail.
- Concerned about cost with a declining tax base.
- Tribes, Federal government, and state do not pay their fair share of costs incurred by the county to provide services.
- 60% of population pays no taxes.
- 900 properties with delinquent taxes last year.
- They believe that it would be difficult to pass a bond. They have considered having a private vendor build a facility and lease it back to the county.
- They are hesitant to make a decision about the jail while the PL 280 issue (consideration of full-retrocession) is not settled – retrocession could impact the level of jail use.
- County helped fund establishment of Lake House (crisis stabilization facility for mentally ill), and now cannot get the facility to accept county inmates in crisis.
- About a third of inmates are state inmates – if the state builds beds and reduces waitlist, the county's needs for beds would be diminished.

Medical/Mental Health

Vince River, Clinical Psychologist

Lou Brenner, P.A.

Lou Brenner is a Physician's Assistant working for St. Joseph's Medical Clinic in Polson. Conducts sick call at the jail two times per week -- on Tuesdays and Fridays. He is also available by telephone for consultation.

- No medical exam space available – he meets with inmates in the back office or in the holding cell.
- Sees anywhere from 5 to 17 inmates per visit.
- Sees a high number of inmates with mental health issues.
- Much of his work involves managing psych medications.
- Jail recently purchased a tool chest on wheels for use as a medical cart.



- Tribe provides vision and dental services to tribal members in jail.

Vince River is a clinical psychologist in private practice in Polson.

- Provides mental health services on-site in the jail. He averages about 8-16 hours per week in the jail, and is on call at all hours.
- Conducts initial suicide screenings to assess risk.
- Can transfer inmates to a state hospital, a VA hospital; and to crisis stabilization facilities if a room is available. The state hospital pushes back as it is also overburdened.
- Sees need for more special management housing in the jail for inmates who are severely psychotic, violent, refuse to get along with others, suicidal, manipulative, etc.
- See the same people repeatedly cycle through the system.
- Lake House has not been a good resource for the jail.



Section 7. Town Hall Meeting

Introductions and Expectations

The town hall meeting was opened with a welcome and introductions of the TRP's and the attendees. Approximately 25-30 persons attended the Town Hall including Sheriff's Office staff, several County Commission members, justice system officials, media, and several citizens at-large. See Appendix B for a list of attendees.

Overview of the National Institute of Corrections

The technical resource providers provided a brief overview of the National Institute of Corrections (NIC).

The NIC is an agency within the U.S. Department of Justice that was established to provide leadership, training, and technical assistance to the field of corrections. NIC provides technical assistance to individual jurisdictions. The technical assistance is usually an on-site evaluation of a specific problem the agency is trying to solve. It is followed up with a written report that contains recommendations for addressing the issue.

The NIC Information Center, based in Aurora, CO, is a clearinghouse for a variety of corrections-related information. The Information Center contains video tapes, publications, sample manuals, training plans, etc. on a variety of jail topics. Some of the materials are provided at no charge, others may be borrowed, and still others may be viewed at the Information Center.

NIC has a website that is an excellent resource for everyone in corrections. Visitors can download a variety of documents from the publications section. The website also includes descriptions of programs and services, training schedules, and links to other useful websites. NIC also supports several online communities for correctional professionals.

Jail and Justice System Assessment Purpose and Process

The technical resource providers briefly described the JJSA purpose and process.

The purpose of the JJSA is to assist communities in beginning the process of determining the need for improvements to the existing jail and its operations (including the potential need for new construction and/or renovation) and/or the need for improvements to enhance the effectiveness and efficiency of the overall justice system.

The process typically includes four main steps:



1. Jail assessment. The technical resource providers conduct a brief assessment of the jail including the physical plant and operations, to identify potential life, health, safety, and liability issues that may be important for the community to address both in the short term and in the long term.
2. Review jail and justice system data. This includes inmate profile data (typically one-day snapshot) to describe who is in jail, inmates profile characteristics, and the levels of risk and need they may present in the community. It may also include trend data on jail use that show the use of the jail over time and includes such indicators as number of admissions, average daily population, average length of stay, and rate of release. It may also include other justice system data that may indicate the impact of the system on the use of the jail. Such data typically includes arrests, court filings, dispositions, etc. Historic and projected population changes are also key data to review.
3. Interviews with key justice system officials. Discussions with justice system officials help bring a common understanding of the policies and practices of the agencies that comprise the local justice system. This helps the County understand how the system works and why it is important to provide an opportunity to address inefficiencies and/or incongruence in policy and practices that adversely affect the jail. The interviews also provide an opportunity to get the impressions of key policy makers on the "jail issue" and the role they can play in helping solve problems.
4. Town hall meeting. The JJSA typically culminates with a town hall meeting which brings together justice system officials with funding authority representatives and community members. The purposes of the community meeting are to:
 - Educate the participants about the role of justice system policies and practices on the use of the jail and the size of the jail population.
 - Provide participants with the technical resource providers' preliminary findings based on the jail assessment and interviews.
 - Provide participants with some preliminary options to address detention and other criminal justice system needs.
 - Provide a forum for participants to share their concerns and ideas about the issues raised and initiate discussions about planning for change.

Issues Prompting the Request for the JJSA

The Lake County Sheriff's request for technical assistance from NIC was prompted by ongoing problems with crowding in the jail, diminished effectiveness in the criminal justice process in the community due to jail issues, and general jail conditions. Problems with the jail date back for some time. NIC previously provided a Jail and Justice System Assessment in 2007. Problems identified in that technical assistance activity continue and have gotten progressively worse. Recently elected, Sheriff Bell recognized coming into the position that there was a need to address the problems with the



facility. Given the circumstances, Lake County is at the point where it is necessary to begin planning to address current and future jail and justice system needs.

Preliminary Assessment Findings

The technical resource providers reviewed their preliminary assessment findings with the participants.

Justice System

- Dedicated competent staff and administrators.
- **Staff turnover rates** are somewhat high.
- **Insufficient bed capacity** to meet needs of the criminal justice system.
- **Significant facility deficiencies** impacting life, health, and safety of inmates and staff.
- All parties recognize the need for a new facility.

Current Jail Conditions and Concerns

- Non-compliance with codes and standards:
 - Americans with Disability Act (ADA) - Most areas of the facility and all inmate areas (except for one housing unit) are non-compliant with ADA.
- Safety and security concerns:
 - The lack of suitable housing for higher custody inmates and special needs inmates can pose operational, security and life-safety risks.
 - The lack of visibility into inmate housing due to its linear design can pose operational, security and life-safety risks.
 - The manual locking systems in all inmate areas can pose life-safety risks during events requiring quick evacuation.
 - Manual locks on cell doors inhibit prompt evacuations.
 - No fire sprinklers in the old portion of the building, and none within inmate areas.
 - Inoperative cell doors were removed, limiting ways inmates can be separated.
 - Low ceilings and exposed plumbing pipes and wiring.
 - No Vehicular Sallyport - inmates enter through the front door.
 - Available cells and housing units not matched to risks and needs of the inmate population.
 - Overcrowding.
 - Obsolete design – inhibits effective supervision.
 - Shared elevator; inmates cross paths with staff and the public.
- Functional limitations:
 - Limited program and exercise space is currently being used for overflow housing, prohibiting staff from providing needed and required services and programs to inmates.
 - No medical exam/treatment space limits the quality of medical services.



- Inadequate intake/release area limits processing efficiency and safety.
- Limited temporary holding space (just one cell) challenges move management, requires use of other spaces such as non-contact visiting for holding, and increases safety issues.
- The building lacks adequate space for staff and inmate storage.
- Inadequate space for kitchen, laundry, and janitorial functions presents challenges in meeting the basic needs of inmates.
- Lack of private interview space makes it difficult for attorneys and other professionals to meet with clients.
- The inadequate public lobby and visiting area pose multiple operational and safety challenges.
- Limited housing separations prevent adequate population classification separation.
- Obsolete and deteriorating building systems cause maintenance staff operational challenges with maintenance and repair.

Local Justice System Policy and Practice Issues

The technical resource providers identified the following justice system policy and practice issues based on interviews with justice system officials:

- There is a backlog of offenders awaiting time to serve sentences in the jail.
- There is a backlog of warrants that cannot be served due to lack of space in the jail.
- Law enforcement officers with arrestees in custody are often turned away at the jail due to lack of space, and as a result arrestees are simply booked and released.
- Compliance with pre-trial release and post adjudication conditions established by the courts has diminished as offenders become aware of the lack of consequences available to address non-compliance.
- The number and severity of offenders with significant mental health and addiction issues has gotten progressively worse.

Facility Development Process

The technical resource providers provided a brief overview of the facility development process.

The facility planning process starts with determining if constructing a new jail is the best and most appropriate option. It is a planning process that may—or may not—result in a new jail. It is likely to result in system-wide improvements that enhance the efficiency and effectiveness of the justice system but may not necessarily result in the construction of facilities.

- Phase 1: Project recognition - This phase includes a problem definition, an assessment of the current facilities, programs, liabilities, and resources. This is the point where the justice



agencies need to work together to identify the key issues they are facing, develop work groups to focus on specific processes, and consider how to proceed.

- Phase 2: Needs Assessment - Phase 2 includes information gathering, identifying options (facility, alternatives, and policy changes), and continuing the evaluation of facilities, operations, and programs. This phase is discussed in greater detail later.
- Phase 3: Pre-architectural Program Development - This next phase includes activities that take place when there is a decision to build. These activities include functional and space programming, scenarios, planning for future operations, and operational efficiencies that may be realized. Projected staffing must also be addressed.
- Phase 4: Project Definition and Implementation Plan - Phase 4 includes an analysis of all options to meet the program, economic feasibility, life cycle evaluation of the options, and conceptual design drawings. In addition, the jurisdiction should be developing support for the preferred and alternative options, and working to move to the next stage in planning.

In this phase, the burning questions about a new jail project are answered. These include:

- Who would be in the jail? (*Are there more alternatives available that will keep offenders out of jail? What inmate classifications will need to be accommodated? What types of beds/cells are needed?*)
- How big would the jail be? (*Directly related to decisions about alternatives, arrest and sentencing practices, and number of beds.*)
- How would it operate? (*Type of inmate supervision, centralized or decentralized services, visiting method, etc.*)
- What would it look like? (*Not actual design, but instead a study of the stacking and organization of the building: 1 story, 2 story, how the building positions on the site.*)
- What site may be selected and where is it? (*Evaluation of potential sites, test fitting the program and parking requirements on the site, environmental studies, etc.*)
- When will it be ready to use? (*Schedule for funding, design, construction, transition, and opening of new facility.*)
- How much does it cost? (*Preliminary cost estimates*)
- What happens to the old jail? (*Demolish, refurbish for another purpose, etc.*)
- Phase 5: Design Phases - Phase 5 includes schematic design where the building layout and appearance begin to take shape, design development where the drawings are refined and



systems and materials are selected, and construction documents that are final and used for bidding the project.

- Phase 6: Bidding - The bidding phase includes advertising the bid, bidder qualifications, selection of the successful bidder, and contract negotiations.
- Phase 7: Construction - This phase includes permitting, construction monitoring and supervision, contract administration, and materials testing. Construction completion also includes punch listing the building, commissioning, testing the systems, warranties, as-built drawings, etc. The facility transition planning process should begin at this phase.
- Phase 8: Occupancy - Phase 8 includes all of the activities needed to accept the building and get it ready for occupancy. This includes activities such as installation of owner supplied furnishings and equipment, grand opening activities, begin the maintenance cycle, occupancy permits, and moving in.
- Phase 9: Post-Occupancy - Phase 9 includes fine-tuning the facility, policies and procedures. After 6 months, conducting a post-occupancy evaluation of how the facility works—both operationally and the physical plant.

Several of these phases may overlap during the facility development process, but none should be omitted unless there is a determination to suspend the process.

Needs Assessment

The JJSA, in many respects, represents Phase I, project recognition. After project recognition, the next step is to conduct a thorough needs assessment – Phase 2. The technical resource providers reviewed the needs assessment process, providing feedback on their initial impressions of facility needs and data provided by the jail.

The components of a good, thorough needs assessment include:

- Interviews with/information collection from all Criminal Justice System (CJS) partners, including:
 - What are the current policies/practices for each CJS component?
 - What issues (e.g., booking fees; workloads; changes in laws) must be considered?
 - Are the policies/practices mandated or elective?
- Design a data collection instrument to quantify system processing (courts, sentencing options, etc.) of accused and convicted offenders, collect and analyze the data, and issue a report. This



data collection is broader than a jail data collection. This type of data would be collected when assessing the justice system as a whole. Data collected must include:

- Volume/type of contacts/arrests;
- Decisions - street (to arrest, summons, etc.) and jail; and
- Types of releases and lengths of stay.
- Issue a report describing current policies, the issues considered, and the workloads being experienced.
- Design a data collection instrument to take a snapshot of who is in jail, collect and analyze the data, and issue a report. The data collected must include a number of elements, including but not limited to:
 - Gender
 - Race
 - Ethnicity
 - Residence
 - Charge Status
 - Charge Type
 - Date and time booked into jail and date and time of release; and
 - Release type
- Evaluate alternatives to incarceration
 - Inventory the available alternatives
 - Determine level of alternatives usage and coordination; and
 - Discuss possible additional alternatives and/or different/expanded use of existing programs
- Population Projections and Capacity Recommendations
 - Examine jail data (admissions, length of stay, average daily population); and
 - Correlate the CJS data collected above and develop different forecast scenarios
- An evaluation of the facilities used to hold individuals who are sent for diversion, alternatives, and jail. The evaluation should include an assessment of the facility conditions, compliance with building codes and operational standards. It should also include an analysis of the current facility location and whether or not the location continues to be effective (e.g., is transportation available to the site)
- Jails have a tendency to become crowded before the population growth is identified, so it is important to effectively manage the jail population. A series of recommendations should result from a complete needs assessment and should include alternatives to incarceration, changes to the justice system and/or case processing, and, if supported by data, construction of new facilities (jail or alternatives).



Community Readiness

Throughout the systems planning process, a determination of readiness must be assessed. Local officials must ensure that the planning process will provide the maximum benefit. Planning takes time, coordination, expertise, objectivity and preparation. By making sure that justice system officials and community leaders are ready to invest these resources in the process, it is more likely the planning effort will have a positive outcome. Additionally, if justice system officials are not ready to plan, strategies can be developed to get their “buy-in” before proceeding with the planning process.

Assessing readiness can help identify:

- Issues/obstacles that may impede the process
- Opportunities for strengthening the process; and
- Potential allies or supporters who will help move the planning process forward

Some tips for assessing readiness to proceed with the system planning process are:

- Identify criminal justice system partners and/or stakeholders who will drive the overall project. These are people who are well respected and committed to seeing this project to its conclusion. They have the enthusiasm to motivate participants and are committed to being inclusive.
- Find out what the needs are of those who are slow to come on board and use those needs as a “jump-start” for their involvement. The process should be of benefit to individual agencies as well as the system as a whole
- Develop a work plan to structure the process and help planning team members understand their role, responsibilities, and time commitments

There are a number of challenges to effective systems planning. As the planning process begins, some of the challenges not addressed by the previous suggestions may include:

- Lack of understanding of the purpose and benefits of planning
- Lack of leadership “buy-in” to the process
- Lack of participation -- “It’s not my job;”
- Lack of commitment – “It’s OK if someone else is willing to do it”
- Denial – “If it ain’t broke, don’t fix it”
- Competing demands for time
- Failure to commit adequate resources to the process
- Getting the right players to the table; and
- Getting the right consultants/advisors/architects

It will be important to consider each of these challenges and develop a way to address them as the planning process begins.



Next Steps

The technical resource providers and attendees discussed the following next steps (for the next 3-6 months) necessary to continue moving forward to addressing the jail's and justice system's issues.

- Support development of community sanctioning and supervision options including pretrial services.
- Apply to host a PONI program (see below).
- Initiate planning for development of a new jail facility:
 - Establish a Jail Planning Committee.
 - Conduct a needs assessment and feasibility study; and
 - Develop a system Master Plan that sets direction for decisions about any new/expanded facilities and changes to system policies and practices.

NIC Resources

NIC jail planning training programs and technical assistance are available at each phase of planning:

Planning of New Institutions (PONI): This program is appropriate when entering or just beginning needs assessment. This program covers new facility development in detail with an emphasis on active involvement in the planning and design process. This training focuses on the critical elements of planning a new facility, including collecting and utilizing data, pre-architectural programming, site evaluation, project management, and determining staffing needs.

Managing Jail Design and Construction (MJDC): Appropriate when the needs assessment is complete or nearly complete and a decision to proceed has been made. This training is provided on-site as technical assistance. The team must include the project manager, the jail administrator, staff selected to work on the project. Because this is taught on-site, more team members are encouraged to attend so there is an overall understanding of the design and construction processes. Others who may attend include commissioners, operating agency staff, etc.

How to Open a New Institution (HONI): This should be requested at least 18 months in advance of opening. It is recommended that the transition team be formed earlier than this and receive the training during design. This helps them to be more effective during both design and construction. This is an on-site program for the transition team.

Section 8. Recommendations

The technical resource providers offer the following action steps to move forward in assessing detention needs and in developing systemic strategies to better manage the use of the jail.

1. Key officials of the Lake County justice system and county government should continue discussions to determine the need for new jail construction to address current and future incarceration needs. The Justice System Coordinating Council that was previously established should be reactivated to take the lead in this process.
2. The County should conduct a formal needs assessment to determine what is actually needed to address the jail and justice system issues. Based upon the needs assessment's findings, the County can then determine what solutions are feasible in the short and long term.
2. The County and local justice system should support continued development of community sanctioning and supervision options through probation and pre-trial programming.
3. Apply to host the NIC PONI Program and take advantage of any follow-up assistance which might be available.
4. Visit other new facilities of similar size and scope to get a sense of what is required in contemporary detention facilities and operations. Assess operational and design elements that would be appropriate for Lake County.

The action steps outlined above are excellent first steps. They should place the County in a good position to determine their detention needs and make needed improvements to the overall justice system.

The technical resource providers wish to commend Sheriff Bell, Sheriff's Office administrators and staff, and local county officials for their hard work and time in preparing for the JJSA and supporting the technical resource providers while on-site. Their efforts were instrumental for a successful assessment



Appendix A - Lake County Jail and Justice System Assessment - *On-site Agenda*

National Institute of Corrections Lake County Jail and Justice System Assessment Agenda November 29th – December 1st

Wednesday, November 29th

9:00 AM – 10:30 AM	Meeting with Sheriff, Jail Administrator, and other key county officials to clarify the purpose of the JJSA, gather additional background information, review the desired outcomes for the technical assistance activity, and confirm the agenda for the three-day site visit
10:30 AM - Noon	Meeting/interview with Sheriff's Office (RE: jail and law enforcement)
1:00 PM – 4:00 PM	Tour and brief assessment of the jail
4:00 PM – 5:00 PM	Unscheduled (Consultants meet to review jail impressions)

Thursday, November 30th Brief meetings with Justice System officials

7:30 AM - 8:30 AM	Meeting with District Court Judges
8:30 AM - 9:00 AM	Meeting with Medical/ Mental Health providers
9:00 AM - 10:00 AM	Meeting with Justice/Municipal Court Judges
10:00 AM – 11:00 AM	Meeting with Defense Attorneys
1:30 PM - 2:30 PM	Meeting with City/County Attorneys
2:30 PM - 3:30 PM	Meeting with Probation/Parole
3:30 PM - 4:30 PM	Meeting with Chiefs of Police

Friday, December 1st

8:00 AM – Noon	Town Hall Meeting
1:00 PM – 3:00 PM	Closeout meeting with Sheriff, Jail Administrator, and selected staff and officials to review the site visit activities and discuss next steps.



JJSA Town Hall Meeting Agenda

December 1, 2017 - 8:00 AM - Noon


- I. Welcome and introductions; JJSA overview
 - What is NIC?
 - NIC Resources and Services
 - Attendee introductions and expectations
 - What is a JJSA?
- II. Presentation of jail observations and impressions, jail data indications
- III. Overview of a System Approach to Jail Planning
- IV. Facility development process overview with special emphasis on Needs Assessment as a starting point in the planning process
- V. Readiness assessment planning
- VI. Next steps
- VII. Adjourn

Appendix B – Town Hall Meeting Attendees

<u>Lake County Town Hall Meeting</u>		
<u>Name</u>	<u>Representing / Position</u>	
1 DAVID L. COFFMAN	PERSON RESIDENT	
2 Darren Wihberg	NBC Montana, KECI	
3 Randy Melton	Ronan City Judge	
4 Jon Christopher	Polson - District Judge	
5 Bill Barron	Lake Co Commissioner	
6 Hanky Mingeon		
7 Curt Jones	Ronan City Judge	
8 Ben Woods	LCSO	
9 Joel Shaffer	LCSO	
10 Donazoo Ben	LCSO - Sheriff	
11 Mac Barger	SELF	
12 Wally Condy	City -	
13 Eldena Beardent Walk		
14 Dick Christopher	Self	
15 Dave Skye	Commissioner	
16 Eric Day		
17 Mary Simmons	New Hope CTR	
18 Rob McDonald	CSlet / Comm Dir	
19 DENNIS JONES	City Police Com.	
20 FERNANDO VENEZAS	L.C.S.O.	
21 Barbara Monacci	CJ PO - Youth Court	
22 Rodal Cunningham	Justice of Peace	
23		



Appendix C – Town Hall Meeting Slides



Welcome, Introductions, Overview

Jail and Justice System Assessment
Lake County, MT

NIC
National Institute of Corrections


What is a Jail and Justice System Assessment (JJSA)?

1. Considers all justice system components
2. Includes a jail / alternatives facilities tour
3. Provides an overview of justice system impacts on jail crowding
4. Promotes involvement of local officials and demonstrates common purpose
5. Introduces the idea of sustainable justice system practices




What is the National Institute of Corrections (NIC)?

- DOJ → BOP → NIC
- Divisions in Washington DC and Aurora, CO
- NIC Resources
 - Programs and training
 - Technical assistance to jurisdictions
- NIC Information Center
- NIC website: www.nicic.gov




JJSA Goals





- Help jurisdictions understand their justice system components, and begin an inventory of their system.
- Educate jurisdictions so they understand it is never just a "jail problem," but it is a justice system and a community issue.
- Provide information about the facility development process.
- Guide jurisdictions in a process to begin assessing their readiness for planning.

Introductions and Expectations



- Introduce yourself
- Answer these questions:
 - What is your role in the justice system, or what brought you to the meeting?
 - What expectation do you have for this meeting?



Observations

Jail and Justice System Assessment

NIC
National Institute of Corrections

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Lake County

Observations and Impressions

- Dedicated competent staff and administrators
- **Staff turnover rates** are somewhat high
- **Insufficient bed capacity** to meet needs of the criminal justice system
- **Significant facility deficiencies** impacting life, health, and safety of inmates and staff
- All parties recognize the need for new facility

Lake County

Observations and Impressions

- **Security issues** include:
 - No Vehicular Sallyport - inmates enter through front door.
 - Available cells and housing units not matched to risks and needs of the inmate population
 - Overcrowding
 - Obsolete design – inhibits effective supervision
 - Shared elevator, crossing paths with staff and the public.

Lake County

Observations and Impressions

- High incidence of **substance abuse** and **mental health** issues among inmate population
- **More community (non-custody) resources** are **needed** for substance abusers and mentally ill
 - **Drug Court** should be expanded
 - **Mental Health Court** should be considered
 - **Day Reporting (Probation)** should be enhanced and expanded
 - **Lake House** should become more available

Lake County

Observations and Impressions

- **Inadequate support and program areas**
 - Booking/Intake
 - Public Lobby and Visiting
 - Interviews
 - Mental Health, Counseling, Self-Help, and Education
 - Health Services
 - Food Services
 - Recreation (indoor and outdoor)
 - Staff Support
 - Administration
 - Storage

Lake County

Observations and Impressions

- Jail poses **safety risks** for inmates and staff. This includes:
 - Poor sightlines – inhibits effective inmate surveillance
 - Metal bars and protrusions that could be used for suicides.
 - Manual locks – inhibits prompt evacuation
 - Low ceilings and exposed plumbing pipes and wiring.

Lake County

Observations and Impressions



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Housing Breakdown

Unit Designation	Housing Classification	Cell Type	# of Cells	Cell Capacity
Block A	Medium Security Male	Dormitory	3	12
Block B	Minimum Security Male	Multiple	4	12
Block C	Minimum Security Female	Dormitory	1	6
Block D	Medium Security Sex Offender	Dormitory	1	6
Block E	Maximum Security Male	Dormitory	1	6
Segregation	Disciplinary/Adm'n. Sep.	Single	4	4

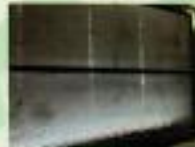
Housing Issues include:

- Only space for Recreation & Programs is often used, instead, for Housing



Housing Issues include:

- Too few beds
- Too few housing units to separate inmates that need to be apart
- Poor visibility
- No natural light
- Depressing



Inmate Movement Issues include:

- Inmates, Visitors, Staff, Public all enter through same Entry
- Inmates cross Public Lobby to go to Interview Room, DUI Room



Housing Issues include:

- Only 4 Single Cells – many Inmates who should be housed in them
- Juvenile Cell is adjacent to Adult Inmate areas (should be sight and sound separated)



Inmate Movement Issues include:

- Inmates, Public, Staff use same elevator
- Inmates cross the Public on way to/from Courts
- No Court holding rooms adjacent to Courts



Jail and Justice System Assessment

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Extremely Limited Space Issues include:

- Every Component insufficient space: Housing, **Booking**, Kitchen, Medical, Programs, Storage, Staff Support, Administration



Extremely Limited Space Issues include:

- Every Component has insufficient space: Housing, Booking, Kitchen, Medical, **Programs**, Storage, Staff Support, Administration

When Rec Room used as Office:

- No dedicated Recreation Space
- No Outdoor Recreation Space
- No Space for Self-Help Groups, Substance Abuse Services, Religious Services, Education, Re-entry Programs



Extremely Limited Space Issues include:

- Every Component has insufficient space: Housing, Booking, **Kitchen**, Medical, Programs, Storage, Staff Support, Administration



Extremely Limited Space Issues include:

- Every Component has insufficient space: Housing, Booking, Kitchen, Medical, Programs, **Storage**, Staff Support, Administration




Extremely Limited Space Issues include:

- Every Component has insufficient space: Housing, Booking, Kitchen, **Medical**, Programs, Storage, Staff Support, Administration

No Exam Rooms

No Prisoner's Workstation



Extremely Limited Space Issues include:

- Every Component has insufficient space: Housing, Booking, Kitchen, Medical, Programs, Storage, **Staff Support**, Administration

No Staff Lockers, Locker Rooms, Showers

No Staff Restrooms

No Staffing Room

No Staff Breakrooms or Lunch Room

No Staff Training Room



Extremely Limited Space Issues include:

- Every Component has insufficient space: Housing, Booking, Kitchen, Medical, Programs, Storage, Staff Support, Administration



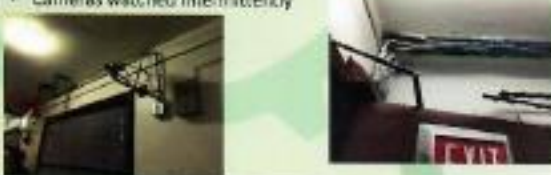
Facility Development Process

Jail and Justice System Assessment

Safety Issues include (In addition to previously mentioned Inmate Movement Issues):

- No direct staff views of inmates
- Not enough beds to lock up all of those who pose a risk to others
- Reachable electrical wires and cameras
- Too few Housing Units to separate those who should be apart
- Mechanical rooms used for storage
- Cameras watched intermittently




Summary - Facility Issues

- Insufficient capacity
- Inadequate booking and release area
- Lack of visibility into Inmate housing – linear design
- Lack of ability to separate by classification
- Inmates cross paths with Public, Visitors, Other Justice System Staff
- Manual locking systems
- Non-compliance with ADA
- Obsolete building systems
- Lack of program and exercise space
- Lack of adequate storage
- Extremely limited space for all functions

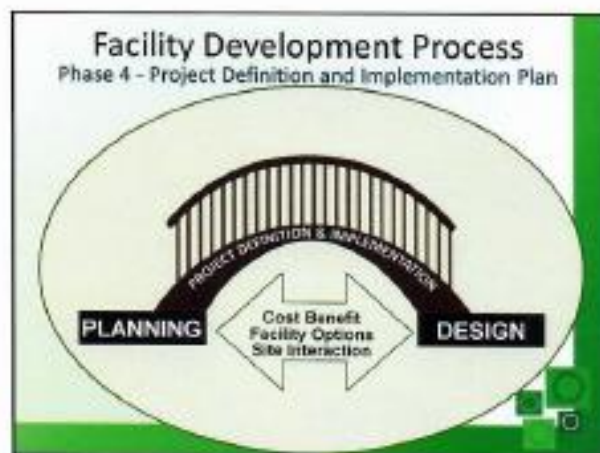
Facility Development Process

Phase 1 - Project Recognition

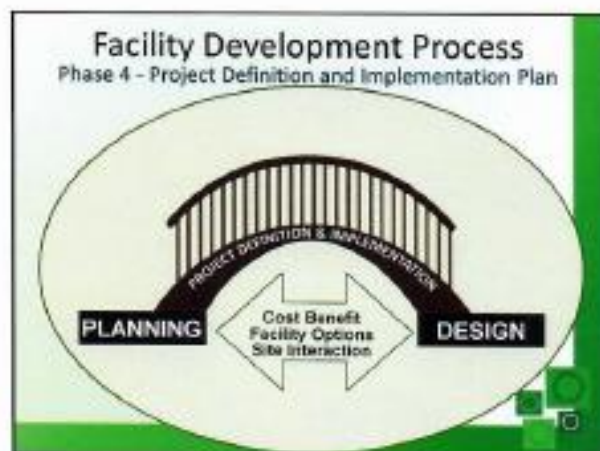
- Problem definition
- Assess current facilities, programs, liabilities, and resources
- Justice partners work together to:
 - Identify key issues
 - Develop work groups
 - Consider how to proceed



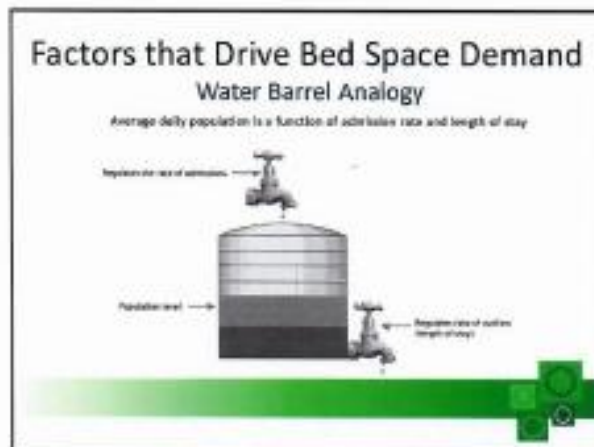
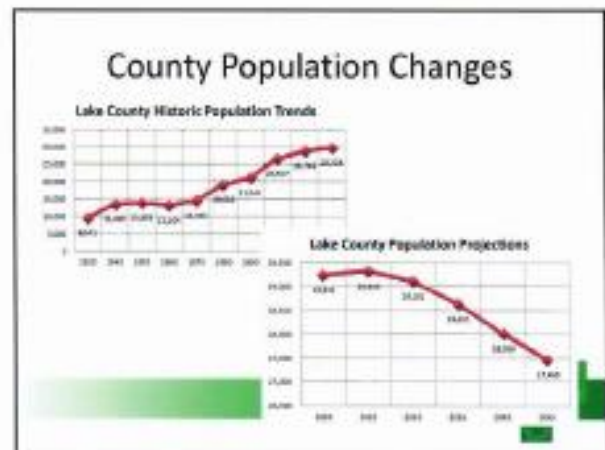
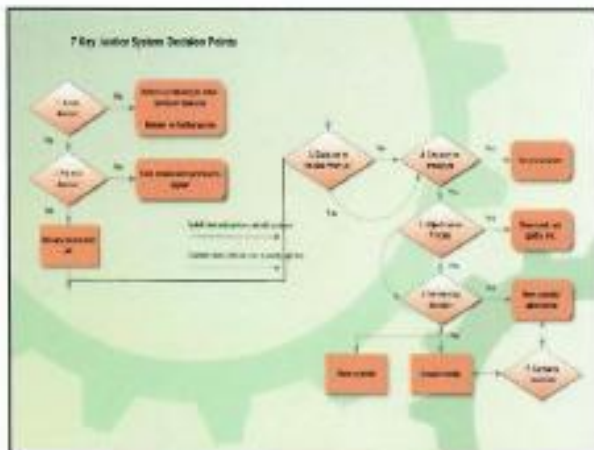
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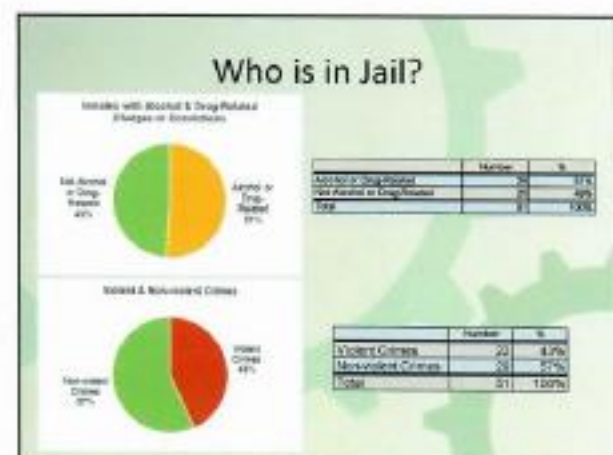
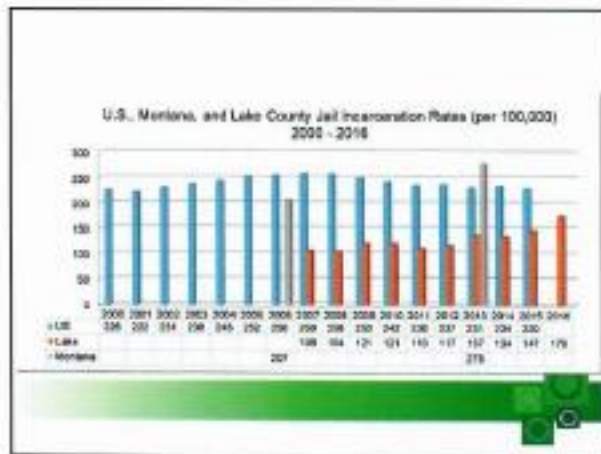
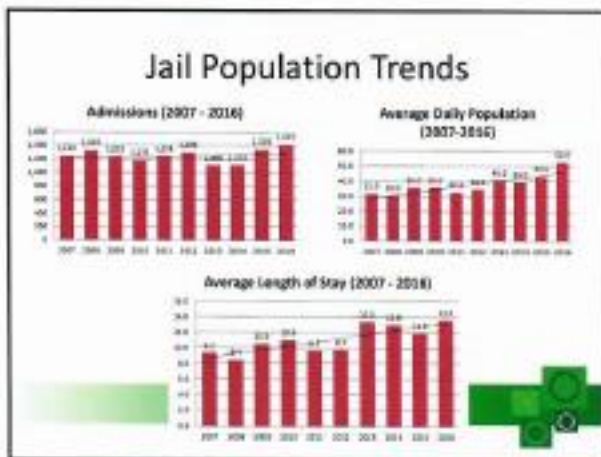


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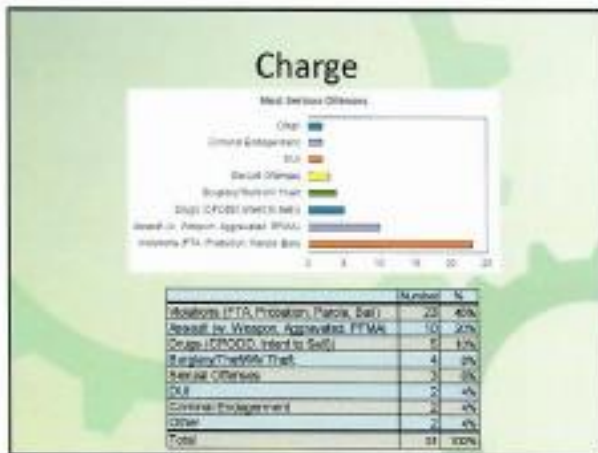
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Jail and Justice System Assessment

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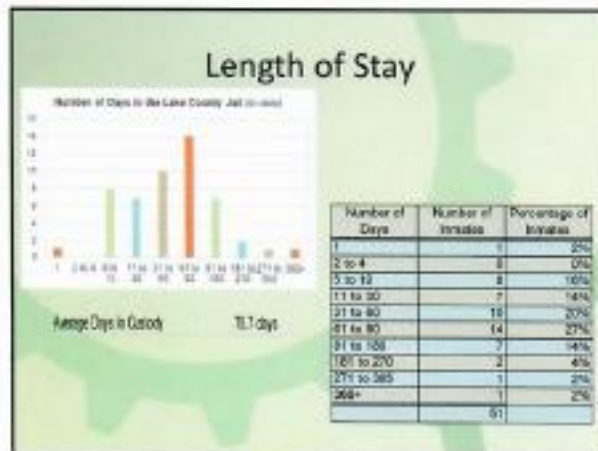
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Needs Assessment Components

5. Population projections and capacity recommendations

- Examine jail data
- Correlate CJS data / develop forecast scenarios



Needs Assessment Components

7. Recommendations


- Justice system and/or case processing changes
- Alternatives to incarceration
- New facility construction (if supported by data)

Assessing Readiness

- Helps to identify:
 - Issues that may impede the process.
 - Opportunities for strengthening the process.
 - Potential allies or supporters who will help move the planning process forward.

Assessing Readiness for Planning

Jail and Justice System Assessment



National Institute of Corrections

Systems Planning

Assessing readiness to proceed:

- Identify who will drive the overall project
- Determine the needs of those who are unsure, and use those needs to jump-start their involvement
- Develop a work plan ..
 - Structure the process
 - Define planning team roles & responsibilities
 - Time commitment

Systems Planning Process

Requires....

- ✓ A certain degree of readiness
- ✓ Local officials prepared to ensure the maximum benefit
- ✓ Time, coordination, expertise, objectivity, and preparation
- ✓ Strategies to develop "buy-in"

Systems Planning

Challenges include:

- Lack of understanding, leadership "buy-in," participation, commitment
- Denial
- Competing time demands
- Inadequate resource commitment
- Getting the right players and right consultant



Lake County Roadblocks

- Political will
- Willingness make financial investment
- Community support
- Uncertainties (DOC inmates, PL 280 changes, etc.)

Lake County Potential Next Steps

- Reactivate Lake County Criminal Justice Coordinating Committee
- Request Planning of New Institutions Program
- Conduct a thorough Needs Assessment
- Start laying the groundwork to educate the public about the need and options

Lake County Overcoming Roadblocks

- Focus on: "what can we do"
- Trust, work together
- A business decision, not political

What Next?

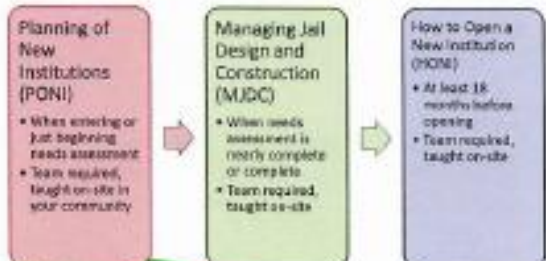
- What should be started in the next 3 - 6 months?
- Of these, what are the top three priorities to be completed in the next 3 months?

Next Steps

*Jail and Justice System
Assessment*



NIC Jail Planning Programs and Technical Assistance



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